

Army Regulation 20-1, *Inspector General Activities and Procedures* (Revision)

History. This printing represents a thorough revision of this publication. Changes made to this publication since the last revision are not highlighted.

Summary. This regulation prescribes the responsibility and policy for the selection and duties of inspectors general throughout the Army. It describes inspector general functions, including teaching and training, inspections, investigations, and assistance. Although the fundamental inspector general role and functions have not changed, this revision incorporates numerous policy and mandated procedural changes affecting inspector general activities. This regulation implements Department of Defense Directive 5505.6.

Applicability.

a. This regulation applies to members of the Active Army, the Army National Guard of the U.S. (including periods when operating in its Army National Guard capacity if a Federal interest exists), and the U.S. Army Reserve and to Department of the Army civilian employees and nonappropriated fund employees.

b. Paragraph 1–11 of this regulation is punitive. It regulates the individual conduct of Department of the Army military and civilian personnel, including those employed by nonappropriated fund instrumentalities, and all officers and enlisted soldiers of the U.S. Army Reserve and of the Army National Guard of the United States when they are performing Federal duties or engaging in any activity directly related to the performance of a Federal duty or function. Penalties for violating paragraph 1–11 of this regulation apply to Department of the Army military and civilian personnel and include the full range of statutory and regulatory sanctions, both criminal and administrative.

c. This regulation applies during all levels of mobilization.

d. DAIG's Investigations Division will investigate senior officials based upon the division's internal standing operating procedure (SOP). The IG investigations procedures outlined in Chapter 8 do not apply to these senior-official investigations.

Proponent and Exception Authority Statement. The proponent of this regulation is The Inspector General. The Inspector General has the authority to approve exceptions to this regulation that are consistent with controlling law and regulation. The Inspector General may delegate this approval authority, in writing, to the Deputy, The Inspector General, or to a division chief under The Inspector General's supervision within the proponent agency in the grade of colonel or the civilian equivalent.

Army Management Control Process. This regulation contains management control provisions and, in appendix B, identifies key management controls that must be evaluated.

Supplementation. Supplementation of this regulation and establishment of command and local forms are not authorized without prior approval from The Inspector General. Send requests to The Inspector General (ATTN: SAIG–ZA), 1700 Army Pentagon, Washington, DC 20310–1700.

Interim Changes.

Suggested Improvements. Users may send comments and suggested improvements on DA Form 2028 (Recommended Changes to Publications and Blank Forms) directly to The U.S. Army Inspector General School (ATTN: SAIG–TR), 5500 21st Street, Suite 2305, Fort Belvoir, Virginia 22060-5935.

Committee Continuance Approval.

Distribution. This publication is available in electronic media only and is intended for command levels B, C, D, and E for the Active Army, Army National Guard of the United States, and U.S. Army Reserve.

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The Inspector General System

Section I

Introduction

1-1. Purpose

This regulation—

- a. Prescribes policy and mandated procedures concerning the mission and duties of The Inspector General (TIG) of the Army.
- b. Prescribes duties, missions, standards, and requirements for inspectors general (IGs) throughout the Army.
- c. Prescribes responsibilities for commanders; The Adjutant General (TAG) of each State; and heads of agencies, activities, centers, and installations for the support of IG activities.

1-2. References

Required and related publications and prescribed and referenced forms are listed in appendix A.

1-3. Explanation of abbreviations and terms

Abbreviations and special terms used in this regulation are explained in the glossary.

1-4. Responsibilities

- a. The Inspector General will—
 - (1) Inquire into, and periodically report **upon**, the discipline, efficiency, economy, morale, training, and readiness **of** the Army to the Secretary of the Army (SA) and the Chief of Staff, Army (CSA).
 - (2) Perform other duties prescribed by the SA or the CSA.
 - (3) Periodically propose programs of inspections to the SA and will recommend additional inspections and investigations as may appear appropriate.
 - (4) Cooperate fully with the Inspector General of the Department of Defense (IG, DOD) in connection with the performance of any duty or function by the IG, DOD, under the Inspector General Act of 1978 (title 5, United States Code (USC) appendix, section 3) regarding the Department of the Army.
 - (5) Develop and publish policy and doctrine for the IG System.
 - (a) Publish IG policy and mandated procedures for Department of the Army-level IGs (DAIG).
 - (b) Conduct long-range, contingency, mobilization, and wartime planning for DAIG and the IG System.
 - (c) Publish inspection guidance for the Army's Nuclear, Chemical, **and Biological** Surety Programs and nuclear reactor facilities.
 - (d) **Publish inspection guidance for the Army's non-surety chemical operations.**
 - (6) Serve as the IG for Headquarters, Department of the Army (HQDA), and for any National Capital Region (NCR) field operating agency (FOA) when the FOA does not have a detailed IG.
 - (7) **Provide field IG support to program managers (PMs) and program executive officers (PEOs) under the purview of the Army Secretariat, Army Staff, or other HQDA agency as follows:**
 - (a) TIG will direct and approve IG inspections, IG investigative inquiries, and IG investigations with a primary focus on PM or PEO issues.
 - (b) TIG will approve PM or PEO involvement prior to the conduct of an IG inspection, IG investigative inquiry, or IG investigation involving peripheral PM or PEO issues. [Sub-paragraph deleted in accordance with the Life-Cycle Management Initiative]

- (7) Select quality **personnel** to **serve as** IGs. Approve or disapprove nominations of **officers and noncommissioned officers to serve as** IGs in specified IG categories (see chap 2) and approve or disapprove the removal or early release of **individuals** from IG duty except **for** those **personnel** relieved for cause.
- (8) Train detailed and assistant IGs and conduct—
 - (a) The Inspector General course for selected personnel.
 - (b) Sustainment (**refresher**) training for IGs.
- (9) Provide assistance to commanders, soldiers, family members, civilian employees, and retirees as follows:
 - (a) Provide a system for resolving problems of soldiers, family members, civilian employees, and retirees; protect confidentiality to the maximum extent possible; and guard against reprisal.
 - (b) Process Department of Defense (DOD) Hotline cases that relate to Army activities.
 - (c) Process DOD whistleblower reprisal cases that relate to Army activities.
 - (d) Process equal opportunity (EO) complaints, to include complaints of sexual harassment, as Inspector General Assistance Requests (IGARs). **As an alternative to normal EO complaint channels, IGs and their subsequent inquiries will not be subject to the timelines or the procedures imposed by AR 600–20, chapter 7 (see para 7–7 b).**
- (10) Conduct inspections, including the following:
 - (a) Provide the SA and CSA a continuing assessment of the command, operational, managerial, logistical, and administrative effectiveness of the Army.
 - (b) Serve as the **functional proponent for IG activities and broad inspection policy**.
 - (c) Conduct inspections as directed by the Secretary of the Army (SA); Under Secretary of the Army (USofA); Chief of Staff, Army (CSA); or Vice Chief of Staff, Army (VCSA). Direct inspections as determined necessary or as prescribed by law or regulation.
 - (d) Report inspection results to the directing authority **complete with findings, applicable root causes (see Glossary), recommended solutions, and a recommended person or agency charged with implementing each solution**.
 - (e) Conduct inspections of the Army's Nuclear, Chemical, and **Biological Surety Programs, non-surety chemical operations**, and nuclear reactor facilities.
 - (f) Conduct nuclear, chemical, and **biological** management evaluations.
 - (g) In accordance with AR 380–381, conduct inspections of Army special-access programs (SAPs) and sensitive activities.
 - (h) Report results from inspections of sensitive activities as directed by the SA and CSA.
 - (i) **Conduct security and technology protection inspections at selected Army laboratories and research, development, and testing facilities.**
 - (j) **Conduct information assurance inspections throughout the Army.**
- (11) Conduct investigations and inquiries directed by the SA, USofA, CSA, or VCSA or as **necessary and submit the relevant** Reports of Investigation (ROI) and Reports of Investigative Inquiry (ROI) to the **respective** directing authority.
- (12) In accordance with AR 381–10, conduct intelligence oversight (IO) of intelligence activities conducted under the provisions of Executive Order (EO) 12333 and DODD 5240.1–R.
- (13) Serve as the HQDA focal point to interact with the IG, DOD, and other governmental IGs.
 - (a) Maintain liaison with the IG, DOD; the other military services' IGs; other statutory IGs; and other agencies concerning Army IG activities.
 - (b) Coordinate inspection and audit topics and schedules with the Government **Accountability Office (GAO)**; the IG, DOD; and the U.S. Army Audit Agency (USAAA) to resolve potential schedule conflicts. If unresolved, decide, within the

scope of the SA and CSA's guidance, whether to change or perform an inspection.

- (c) Provide information on IG, DOD, reports to HQDA and **all Army IGs**.
- (d) Serve as the Army's point of contact for receipt and control of IG, DOD, investigations. Direct the appropriate Army agency or command for preparation of responses to investigations.
- (e) Prepare the Army's Semiannual IG Act Report.
- (14) Maintain **and safeguard** the integrity of the IG System. Monitor and report to the SA and CSA the effectiveness of the Army IG System.
- (15) Perform coordinating staff functions and administrative functions.
 - (a) Serve on boards, committees, councils, and similar organizations as directed by the SA and CSA.
 - (b) Maintain custody of DAIG records on behalf of SA; serve as the Access and Amendment Refusal Authority for Privacy Act (PA) requests for all IG records; and serve as the Initial Denial Authority for Freedom of Information Act (FOIA) requests for all IG records.
- (16) Teach Army policy, procedures, systems, and processes to help inspected activities improve operations and efficiency and accomplish command objectives.
- (17) Disseminate information, innovative ideas, and lessons learned as the result of inspections and changes in policy.
- (18) Serve as the Component-designated official (CDO) under the provisions of DOD Directive (DODD) 5505.6.
- (19) Execute management control responsibilities in accordance with AR 11-2.
- (20) Serve as the personnel proponent responsible for IGs (military skill identifiers 5N **and SQI "B"** and the civilian GS 1801 series: general inspection, investigation, and compliance).
- (21) Serve as the functional proponent and manager for IG information systems.**

b. Inspectors general will—

- (1) Determine the state **of the command's** economy, efficiency, discipline, morale, **mission performance, training, discipline, morale**, and readiness as directed by the commander, **director with an assigned detailed IG**, or State AG.

*Note. Henceforth, the term commander refers to the commander, **director**, and State AG unless otherwise specified.*

- (2) Monitor the effectiveness of IG functions (teaching and training, inspections, investigations, and assistance) within the command or State and inform the commander of this effectiveness and other matters concerning IG functions.
- (3) Provide assistance on an area basis **(or as directed by TIG)** to commanders, soldiers, family members, civilian employees, retirees, and others who seek help with problems related to the U.S. Army (see paras 1-9a, 4-2b, and 7-1d) and **provide input into the electronic IGARS database** to support trends analysis.
- (4) Conduct inspections as directed by the SA, CSA, the commander, TIG, or as prescribed by law or regulation.
 - (a) Report inspection results to the directing authority **complete with findings, applicable root causes, recommended solutions, and a recommended person or agency charged with implementing each solution.**
 - (b) Teach policy, procedures, systems, and processes to help inspected activities improve operations and efficiency and accomplish command objectives.
 - (c) Provide an impartial status report to the directing authority on the operational and administrative effectiveness of the command.
 - (d) Disseminate information, innovative ideas, and lessons learned as the result of inspections and changes in policy.
 - (e) Coordinate with TIG on IG inspections involving PM or PEO issues as outlined in paragraph a (7). Deleted in accordance with the Life-Cycle Management Initiative]**
- (5) Conduct investigations, including the following:

- (a) Conduct inquiries as directed by the commander, TIG, or as prescribed by law or regulation, providing a report of such investigations and inquiries to the directing authority.
- (b) Report to TIG (ATTN: SAIG-AC) any IGAR containing an allegation against a MSG, **1SG**, SGM, or CSM, and any officer in the grade of major through colonel within 2 working days after receipt by confidential means. (See paras 4-6c and 8-3g.)
- (c) **Report to TIG (ATTN: SAIG-IO) any IGAR containing an allegation against any person assigned to a SAP or SA as defined in AR 380-381 within 2 working days by secure means.**
- (d) By confidential means, and within 2 working days, report allegations against **all** Army IGs (**both uniformed and civilian**) to the next higher echelon IG for action (concurrent with a report to TIG (ATTN: SAIG-AC) and the major Army command (MACOM) IG). **(See para 8-3h.)**
- (e) Report **directly** to TIG **by confidential means, and** within 2 working days after receipt from any source, **any and all** allegations of impropriety by general officers, **promotable colonels**, members of the Senior Executive Service (SES), and other DA civilian employees of comparable grade or position. **Special Governmental Employees (SGEs) are not considered to be "DA civilian employees of comparable grade or position" under this regulation; complaints against SGEs are handled using normal IG procedures. (See para 8-3i.)**
- (f) By confidential means, and within 2 working days of a request from DAIG, forward or transmit to TIG any **on-hand** IG record required to support time-sensitive personnel management decisions by the Army leadership.
- (g) **Request approval from TIG (ATTN: SAIG-AC) regarding IG investigative inquiries and IG investigations with a primary focus on PM or PEO issues. (See para a (7)(a).) [Deleted in accordance with the Life-Cycle Management Initiative]**
- (h) **Coordinate with TIG (ATTN: SAIG-AC) regarding IG investigative inquiries and IG investigations involving peripheral PM or PEO issues. (See para a (7)(b).) [Deleted in accordance with the Life-Cycle Management Initiative]**
- (i) Report allegations of whistleblower or reprisal **that meet the minimum requirements outlined in DODD 7050.6** to TIG (ATTN: SAIG-AC) within 2 working days by confidential means.
- (j) **Refer suspected law of war violations immediately to the chain of command for action. In addition, report suspected law of war violations immediately via confidential means to the next higher echelon IG for information (concurrent with a report to TIG (ATTN: SAIG-AC)). If the incident involves a senior official, report it to DAIG's Investigations Division. (See para 9-5e.)**
- (6) When directed by the commander **or when required**, conduct follow-up **assessments** of inspections to evaluate the adequacy and effectiveness of the corrective action taken.
- (7) **Review Management Control requirements and responsibilities to—**
 - (a) **Comply with the basic requirements of Management Control as outlined in AR 11-2. (See app B.)**
 - (b) **Assist the local office responsible for Management Control in ensuring that Management Control policies, standards, and requirements have been effectively implemented within the organization.**
 - (c) **Be aware of the Management Controls found in most Army regulations and to consider these controls when planning and executing IG inspections of systemic issues.**
- (8) In accordance with AR 381-10, provide IO of intelligence activities and components within their command per Executive Order 12333 (EO 12333) and DODD 5240.1-R. **IGs will** inspect intelligence activities as part of their Organizational Inspection Program (OIP) and report any questionable activities (in accordance with Procedure

15, AR 381–10) to HQDA (SAIG–IO). Included in the definition of intelligence components are the intelligence units that support unified commands; intelligence offices (and their subordinate intelligence units and offices) supporting military commanders at all echelons; and other DA components performing intelligence activities. (See AR 381–10.) When IGs inspect an intelligence component, or an organization that has an intelligence component, they will ensure that the inspected personnel are familiar with the provisions of AR 381–10. IGs will place emphasis on the following:

- (a) Procedures 1 through 4 of AR 381–10, which address the applicability of the regulation and the rules governing collection, retention, and dissemination of information about U.S. persons.
 - (b) Individual DA employee-reporting responsibilities under Procedure 14.
 - (c) How to report questionable activities under Procedure 15.
 - (d) Review of the component's IO training program.
 - (e) IO of Army National Guard of the United States (ARNGUS) activities and units will **occur** according to this regulation. For further guidance regarding procedures, contact the National Guard Bureau (NGB) (Chief, National Guard Bureau (ATTN: NGB–IG), Suite 11600, 1411 Jefferson Davis Highway, Arlington, VA 22202–3259).
- (9) Train acting IGs and administrative support personnel who are not required to attend the Inspector General School. The **Training Division**, U.S. Army Inspector General Agency (USAIGA), operates the U.S. Army Inspector General School and provides all training materials.
- (10) Cooperate and coordinate with local internal review and audit compliance (IRAC) offices in connection with the performance of any inspection or investigation in order to preclude duplication of effort. Provide external inspection and audit reports and other information to the local IRAC offices **as required**.
- (11) Manage IG information and IG records.
- (a) Serve as the IG office of record, on the SA's behalf, for **local IG records and as the IG office of inquiry for all other tasked cases**. (See the glossary for the definition of *IG office of record*.) Maintain positive control of IG records in accordance with the provisions **set forth** in chapter 3.
 - (b) Process requests for release under the Freedom of Information Act (FOIA) and for access and amendment of IG records under the Privacy Act. (See chap 3.)
- (12) Provide staff functions **as required**.
- (a) Participate in the Program Budget Advisory Committee (PBAC) cycle at MACOM, installation, or State levels. **Develop the budget for all IG functions and activities, to include** identifying required budget and manpower resources and establishing the means to account for funds during budget execution.
 - (b) Conduct long-range and mobilization planning for IG activities in the command or State.
 - (c) Forward problems that cannot be corrected at the local level through IG **technical channels if the commander chooses not to use command channels**.
 - (d) Participate in the staff coordination process of policy and procedural documents within the sphere of IG activities and authority. (See para 1–9c.)
- (13) (MACOM IGs only) Inspect the effectiveness of—and compliance with—the Army's Voting Assistance Program within the MACOM annually and report the results to DAIG's Inspections Division (SAIG-ID) not later than 30 November.**
- c. Commanders, State AGs, principal HQDA officials, and all **leaders/supervisors (as applicable)** will—
- (1) Ensure all personnel under their jurisdiction are informed of their right to register complaints with, or request assistance from, an IG. (See para 4–2b.)
 - (2) Ensure that persons registering complaints with any IG (including the IG, DOD, and other Service IGs) are afforded protection from reprisal actions as a result of their contact with the IG. (See para 1–11.)

- (3) Provide, **if a senior mission commander**, IG support for **installation** tenant organizations, **installation activities under the Installation Management Agency (IMA), the activities of other commands under the senior mission commander's operational control, and other Army agencies. Written agreements documenting the provision of IG support are not necessary unless the supported agency requires special or mission-unique support. MACOM IG offices or designated subordinate commands will provide support to IMA regional headquarters.**
- (4) **Provide, if a commander of a Lifecycle Management Command (LCMC), IG support to Program Executive Officers (PEOs) and Program Managers (PMs).**
- (5) Report directly to TIG by confidential means within 2 working days of receipt **any and all** allegations of impropriety by general officers, **promotable colonels**, members of the SES, and other Army civilian employees of comparable grade or position. The reporting of an incident of impropriety during an ongoing criminal or equal opportunity investigation to the U.S. Army Criminal Investigation Command (USACIDC), or to a higher commander or equal opportunity officer after the initial report to TIG, does not violate this regulation. However, such reporting to non-IG authorities does not eliminate the requirement to report the incident to TIG or allow commanders to inquire into or investigate the allegations. (See para 8–3j.)
- (6) Report immediately to TIG the removal for cause of any detailed, assistant, temporary assistant, or acting IG **(uniformed or civilian)**. (See chap 2.)
- (7) Request **concurrence from** TIG for the early curtailment of an IG's assignment except for **those** soldiers relieved for cause. (See para 2–4.)
- (8) **Request approval from TIG to use of IGs to perform non-IG duties. (See para 2-6d.)**
- d. Commander, U.S. Army Criminal Investigation Command, and installation provost marshals will—
 - (1) Ensure that allegations from IGs concerning reported criminal misconduct are investigated as appropriate.
 - (2) Ensure that allegations that are not based on criminal misconduct are properly referred to the appropriate command or State IG for disposition.

1-5. Statutory authority

- a. Section 3014, title 10, United States Code (10 USC 3014) establishes TIG within the Office of the SA and provides authority for the SA to assign TIG sole responsibility within HQDA for IG functions.
- b. Section 3020, title 10, United States Code (10 USC 3020) states TIG's statutory requirements and provides for deputies and assistants for TIG.
- c. Section 3065, title 10, United States Code (10 USC 3065) provides for the detail of commissioned officers as IGs.
- d. Section 10149, title 10, United States Code (10 USC 10149) authorizes the screening of U.S. Army Reserve (USAR) IGs.
- e. **Section 105, title 32, United States Code (32 USC 105) provides for IG inspections of the ARNGUS on matters of Federal concern. Under regulations prescribed by him, the SA shall have an inspection made by IGs or, if necessary, by any other commissioned officers of the Regular Army detailed for that purpose to determine whether—**
 - (1) **The amount and condition of property held by the ARNG are satisfactory.**
 - (2) **The ARNG is organized as provided in this title.**
 - (3) **The members of the ARNG meet prescribed physical and other qualifications.**
 - (4) **The ARNG and its organization are properly uniformed, armed, and equipped; and, in addition, are being trained and instructed for active duty in the field or for coast defense.**
 - (5) **ARNG records are being kept in accordance with this title.**
 - (6) **The accounts and records of each U. S. Property and Fiscal Officer (USPFO) and property are maintained.**

(7) The units of the ARNG meet requirements for deployment.

(8) The reports of inspections specified in paragraph 1-5e are the basis for determining whether the National Guard is entitled to the issue and retention of military property as authorized under this title, which organizations and persons constitute units and members of the National Guard, and which National Guard units meet deployability standards.

(9) All U.S. Property and Fiscal Office (USPFO) inspections related to the Army National Guard will be forwarded through the Commander, FORSCOM, to DAIG for distribution to the appropriate agency.

- f. Section 315, title 32, United States Code (32 USC 315) is the authority for the detailing of commissioned officers and enlisted personnel of the Regular Army (RA) for duty with the ARNGUS as IGs.

Section II Inspector General System

1-6. Inspector general concept and system

IGs serve their commanders and their commands by executing the four IG functions—Teaching and Training, Inspections, Assistance, and Investigations—through the IG Inspections Process and the IG Action Process (IGAP) for the specific purpose of enhancing the command's discipline, readiness, and warfighting capability. IGs use these functions to seek out systemic issues that affect the command and the Army. The two main factors that bear directly upon, and often characterize the execution of, these four functions are the IG tenet of confidentiality (see para 1-12) and the restrictions placed upon the distribution and use of IG records (see chap 3). IGs function within a system of Army-wide IGs who cooperate and assist each other in executing these functions on behalf of their respective commands—even though they serve other commands and commanders. The effective functioning of the IG System depends upon the mutual cooperation of all IGs through IG technical channels not simply within each particular command but throughout the Army as a whole. IGs operate within an environment consisting of the commander, the commander's staff, the commander's soldiers, family members, DA civilian employees, retirees, contractors, and other civilians needing assistance with an Army matter. These individuals represent the IG's constituency, and IGs bolster the chain of command by performing the four IG functions in support of this constituency. IGs must maintain a clear distinction between being an extension of the commander and their sworn duty to serve as fair, impartial, and objective fact-finders and problem solvers. At the same time, they must also be sufficiently independent so that those requesting IG assistance will continue to do so—even when the complainant feels that the commander may be the problem. Commanders must understand this distinction for their IGs to be effective. In addition, the trust and confidence shared between IGs and their commanders extends beyond the confidential relationship established by commanders and their staffs. IGs and their offices must remain solely under the command and control of the commander to avoid any possibility or perception of external influences on the office's personnel, budget, and operations.

- a. *The IG and commander relationship.* IGs extend the eyes, ears, voice, and conscience of the commander. An IG must have the commander's total confidence and trust. To be effective, IGs must understand the commander's goals, expectations, standards, vision, operating methods, and personality. The IG must become the commander's confidant—one of the individuals with whom the commander can discuss, in complete trust, any aspect of the command in wartime as well as in peacetime. The IG must inform the commander of IG observations, findings, and impressions on all aspects of the command. The commander has a responsibility to learn and understand the IG concept and system and to educate the IG on how the commander expects the IG to best serve the command.
- b. *The IG, soldiers, family members, and civilians.* IGs provide assistance to soldiers, family members, or civilians requesting it. This supported population represents the IG's constituency—the group served by the IG System locally for the purposes of

- enhancing individual soldier and unit readiness.** IGs also have the responsibility, unless directed otherwise by their commanders, to discuss any observations, findings, and assistance requests with subordinate commanders to whom the observations or findings apply. When speaking with the subordinate commanders, IGs must be careful not to violate **the IG tenet of confidentiality.** (See para 1–12.) **Subordinate commanders do not fall within the IG-commander-complainant triangle of confidentiality and are therefore not entitled to the same confidential information that the IG's commander may receive. If the IG's commander wants to share confidential IG information with a subordinate commander or anyone else outside the triangle of confidentiality, he must contact TIG for approval. However, IGs must work through and with the chain of command if the IG System is to be viable, effective, and relevant. The IG System must reinforce and bolster the chain of command at all times without inadvertently undermining it.**
- c. *Inspectors general and the IG System.* IGs can request, and are expected to provide, assistance to others within the IG System **using IG technical channels.** (See the glossary for *Inspector General System*.) **IG technical channels guarantee the effective functioning and value of the IG System to each IG's command and to the Army as a whole. For example, when a proponent cannot implement or correct a verified inspection finding at a particular IG's level of command, the IG can use IG technical channels to hand off the finding to the next higher headquarters (unless the commander prefers to handle the matter through command channels). IGs can also refer issues and allegations to other IG offices either as an office of record or office of inquiry (office of inquiry referrals only apply to vertical echelons of command). The receiving IG office must agree to accept the referral (DAIG's Assistance Division will adjudicate any problems associated with referrals of this nature). IGs must be prepared to assist others within the IG System as well as other IGs outside the Army IG System.**
- d. *TIG and the IG System.* The IG System is not a typical 'stovepipe' system since IGs work for their respective commanders. However, all IGs working within the IG System must adhere to **IG policy, doctrine, and other mandated procedures** as established and promulgated by TIG. Through policy oversight and certification authority, TIG maintains **and safeguards** the integrity of the IG System.

1-7. Command and State IGs

IGs are responsible for advising commanders on the state of their commands. IGs are confidential advisors and fact-finders to the commander. Selfless service is the cardinal attribute of successful military and civilian IGs. **Everyone** within a command or headquarters **should respect IGs** for their level of expertise, candor, credibility, reliability, and trustworthiness. IGs must adhere to, and be advocates of, the Army values and the **Warrior Ethos**. IGs should be among the **Army's** most professional and knowledgeable **soldiers and civilians** for their **particular** grade or rank. **Uniformed Army** IGs are selected through a nominative process, and civilian IGs are selected through normal civilian personnel recruitment procedures and approved by the detailed IG. (See chap 2.)

Section III

Organization and sphere of activity

1-8. The Inspector General

- a. *TIG as confidential representative of the SA and confidential adviser responsive to the CSA.* TIG has direct access to the SA and CSA. TIG commands the USAIGA (see para c), establishes policy and doctrine for the IG System (see para 1–4a (5)), and maintains the integrity of the IG System (see para 1–4a (16)). The Inspector General has the authority to direct command and State IGs to conduct inspections, inquiries, and investigations. (See paras 1–4b (4) and (5).)
- b. *Office of The Inspector General (OTIG).* The OTIG is the HQDA agency that coordinates IG activities. The OTIG includes TIG; Deputy, The Inspector General; a **Sergeant Major**

- (SGM); an Executive **Officer**; **Executive Assistants**; and administrative support personnel.
- c. *The U.S. Army Inspector General Agency (USAIGA).* The USAIGA is a field operating agency of the OTIG. TIG's resources are assigned to USAIGA. (The term *Department of the Army Inspector General (DAIG)* is used when combining the Office of The Inspector General (OTIG) and the USAIGA.)
- d. *Inspectors general.* IGs are assigned to commands, agencies, activities, centers, communities, installations, and States **in accordance with established** authorization documents. **In general, IGs serve on the personal staffs of general officers who command organizations with wartime missions. IGs and their IG offices normally begin at the division / (Unit of Employment x) level and appear at the corps/army (Unit of Employment y), Regional Readiness Command (RRC), State, and MACOM levels, to include separate brigades (Units of Action) commanded by either general officers or full colonels. ARNG Units of Action/Brigade Combat Teams also have detailed IGs.** Commanders determine the need for IG supporting staff in accordance with AR 71-32 and other applicable regulations. (See para 2-1.) The command or State IG is a member of the **commander's** personal staff.
- e. *U.S. Army Reserve Matters.* The U.S. Army Reserve Command (USARC) IG office is the senior IG office in the Army Reserve. The commanding general of USARC is a unique position; the incumbent serves both as a member of the Department of the Army staff and the Chief, Army Reserve. Accordingly, the USARC IG office will report directly to DAIG on IGARs and command products concerning non-senior officials on behalf of the office of the Chief, Army Reserve. Other matters that require USARC IG oversight must be coordinated with the U.S. Forces Command (FORSCOM) IG office and DAIG.

1-9. Inspector general activities

- a. *IG sphere of activity.* The IG sphere of activity includes everything for which the commander is responsible and over which the commander or State AG has Federal authority. For further guidance on the appropriate sphere of activity of ARNGUS Active Guard Reserve (AGR) soldiers detailed as IGs with regard to matters related to the ARNGUS, contact the Chief, National Guard Bureau (ATTN: NGB-IG), Suite 11600, 1411 Jefferson Davis Highway, Arlington, VA 22202-3259.) IGs must be **fully aware** of this sphere of activity when determining jurisdiction of Inspector General Action Requests (IGAR) and IG issues within the IG System. The IG is responsible for the IGAR if it is within that IG's sphere of activity. Generally, if the IG's commander is responsible for resolving the issues or allegations involved, then that IG is responsible for the IGAR. For example, if the complainant is from one IG's command and the subject of the allegation is from another IG's organization, the IG of the commander responsible for resolving the allegation is the IG responsible **and is also** the IG office of record for the IGAR. **MACOM IGs will resolve all jurisdictional issues.** When more than one MACOM is involved, DAIG's Assistance Division (**SAIG-AC**) will resolve the jurisdictional issue. **When the matter contains classified material or relates to intelligence oversight, DAIG's Intelligence Oversight Division will resolve the jurisdictional issue.**
- b. *IG and commander relationship.* The IG's relationship with the commander is one of extraordinary trust and confidence. The **commander should grant the** IG a high degree of independence and unlimited access to information in performing IG duties. To be fully effective, the IG must have **direct access to**, and the full support of, the commander and the confidence of the command or activity. This confidence **stems from the command's understanding** that the IG is an extension of the commander and that the commander has complete trust and confidence in the IG. To protect this independent and special relationship, the commander will rate the **primary** command or State IG—even if that **primary IG is a NCO or DA civilian serving temporarily or permanently in that position.** The commander may also senior rate the **primary** command IG.
- c. *Inspectors general and command policy.* IGs will not establish command policy except as provided in AR 1-201 and this regulation. IGs have no directive authority outside IG

channels beyond that normally associated with their grade. Additional authority must come from **the IG's** commander. This **restriction** does not preclude IG involvement in the policy-formulation and staffing process. **However**, IGs **normally provide** input to a **proponent-coordinated** staff action **by pointing out** conflicts in regulatory **and/or** policy guidance and commenting on policies and procedures without making specific recommendations or stating a position. For example, IGs may state, "That policy conflicts with AR 600–20. Have you considered the procedures specified in AR 600–9? The policy is difficult to understand and interpret as written." The IG's final response must be "noted" and not "concur" or "non-concur." **Concurrence with a policy could result in a future conflict of interest if the IG later inspects or investigates against that particular standard.**

- d. *Access to documents and evidence.* IGs are authorized access to all documents and other evidentiary materials needed to discharge their duties. These documents and materials include normally protected data. Some examples are classified documents, records of board proceedings, acquisition information, medical records, medical quality assurance records, drug and alcohol records, financial records, evaluation reports, back-channel messages, security dossiers, criminal investigation reports, copies of personnel restricted fiche (R-fiche) (after compliance with AR 600–8–104), and financial disclosure statements. This authority may include direct access to pertinent extracts under applicable regulations. **When accessing medical records, IGs must remain aware that health care information is sensitive medical information, is protected by the Health Insurance Portability and Accountability Act (HIPAA) (Public Law 104-191), and must be protected. Accordingly, IGs must maintain this information in a safe, secure, and confidential manner; re-disclosure is prohibited.** IGs are not, however, authorized access to material subject to the attorney-client privilege **or any other legally recognized privilege.**
- e. *Access to classified or sensitive information.* **IGs are also authorized access to classified or sensitive information. However**, the IG must present proof of a security clearance or special access to review classified documents. **The IG's security clearance may be included on the IG's credentials.** IGs also must present sufficient justification to the record holder to obtain sensitive records. Should compartmentalization or classification restrictions preclude immediate access to information required by an IG, the denying commander will immediately report the situation to the appropriate access control authority for an access eligibility determination. If this authority does not grant access to the information, the IG will notify the commander and TIG of the situation. The notice to TIG will include the location, date, and command; scope of inquiry, inspection, or investigation; who denied access; who verified denial and approved denial; and the reason access was denied. **(See para C-5.)**

1-10. Inspector general guidelines for Army National Guard matters

- a. Unless otherwise specified, the NGB and the CNGB will function as a MACOM headquarters and MACOM commander with respect to Federal IGs (Active Army or ARNGUS on extended active duty in a title 10 status) assigned or detailed to the NGB and to the **multi-service headquarters** of the National Guard (NG) of the States.
- b. With some exceptions, IG activities within the NG are the same as those in the Active Army and the USAR. Exceptions are stated in appropriate sections of this regulation. For Air National Guard (ANG) matters, Army personnel serving as IGs for the NG will follow these guidelines:
- (1) At the discretion of the State AG, **the State IG office may receive and process** requests for assistance from ANG personnel or family members.
 - (2) **Army** IGs usually will not inspect ANG units.
 - (3) If technical support for an investigation is needed from outside the State, that support will be requested through the Chief, National Guard Bureau (ATTN: NGB–IG), Suite 11600, 1411 Jefferson Davis Highway, Arlington, VA 22202–3259.
 - (4) When conducted by Active Army or ARNGUS IGs, an IG investigation or investigative inquiry will use established regulations and procedures applicable to the subject's or

suspect's Service. For example, the Active Army or ARNGUS IG of the State will follow applicable Air Force/Air National Guard regulations and investigative procedures when inquiring or investigating allegations against an ANG member. When the investigation or investigative inquiry involves ARNGUS personnel, the IG will follow this regulation.

- c. Active Army officers (and ARNGUS officers on extended active duty in a title 10 status assigned as State IGs) have authority to inspect and perform other IG functions with regard to those aspects of the NG having a Federal interest. (See glossary.)
- d. Pursuant to **Section 3020, title 10, United States Code (10 USC 3020) and Section 105, title 32, United States Code (32 USC 105)**, TIG is responsible to the SA and CSA for supervision of the activities of Federal IGs (Active Army or ARNGUS on extended active duty in a title 10 status) with regard to the NG. MACOM and subordinate commanders assist TIG in executing this responsibility with regard to the activities of Federal IGs assigned to those commands. CNGB also assists TIG in executing this responsibility with regard to Federal IGs assigned to the NGB or to the **multi-service headquarters** of the NG of the States. TIG retains general authority to direct IG inspections of those areas or activities of the NG of Federal interest.
- e. MACOM commanders, subordinate commanders, and the CNGB may direct IG inspections of ARNGUS units, activities, and functions with regard to those areas or activities of Federal interest for which they have responsibility under AR 10-5, AR 10-87, or other applicable regulations or directives. Conduct of these inspections remains subject to the policies of this regulation. Inspection by Federal IGs assigned to a MACOM, a subordinate command, the NGB, or a NG **multi-service headquarters** does not preclude inspection of the same units, activities, and functions by DAIG or **another** appropriate authority. In appropriate cases, as determined by TIG, responsibility to conduct an inspection of the NG by Federal IGs in particular cases will be transferred to DAIG. TIG, acting through the IG, NGB, has authority to task Federal IGs assigned or detailed to **multi-service headquarters** to assist in a DAIG investigation of NG activities of Federal interest in that State.
- f. **Multi-service headquarters in each state currently provide opportunities for Air National Guard (ANG) IGs to work in state IG offices. ANG IGs work at the direction of the TAG or the primary IG (an Army officer). The primary IG will follow these guidelines when selecting a member of the ANG to work in the state IG office:**
 - (1) **ANG IGs must successfully complete TIGS in order to work Army IG assistance cases in accordance with this regulation and have access to IGMET and the IGARS database.**
 - (2) **During the temporary absence of the primary IG, TAG may designate an ANG IG as the acting primary IG if he or she is the senior officer.**
 - (3) **ANG personnel working in a state IG office will be considered assistant IGs only despite their grade and perform only the functions of an assistant IG. The only exception will be ANG IGs serving as acting primary IGs; these ANG IGs will be considered as detailed IGs for the duration of their temporary duty as the primary IG and may lead Army inspections and investigations in accordance with this regulation (see para 2-2).**

Section IV Punitive Prohibitions

1-11. Prohibited activity

- a. *Prohibition on restricting lawful communication with an IG; Member of Congress (MC); or a member of an audit, inspection, investigation or law enforcement organization within the DOD.* Persons subject to this regulation will not restrict anyone in any manner from lawfully communicating with those individuals mentioned above. This prohibition includes communications with the IG, DOD, and the IGs of other Services and Federal agencies.
- b. *Prohibitions against reprisal.*

- (1) *A civilian whistleblower.* Persons subject to this regulation will not take (or threaten to take) an unfavorable personnel action or withhold (or threaten to withhold) a favorable personnel action with respect to any employee or applicant for employment as reprisal for communications protected by **Section 2302 (b)(8), title 5, United States Code (5 USC 2302(b)(8))**.
- (2) *A military whistleblower.* Persons subject to this regulation will not take (or threaten to take) an unfavorable personnel action or withhold (or threaten to withhold) a favorable personnel action with respect to a member of the armed forces as reprisal for making or preparing a lawful communication with an IG; MC; or member of a DOD audit, inspection, investigation, or law enforcement organization or with any other person or organization (including any person or organization in the chain of command **starting at the immediate supervisor level**) designated under regulations or other established administrative procedures (**such as** the equal opportunity advisor (EOA) or safety officer) to receive such communications. (See AR 600–20 for a definition of *chain of command*.) The term *lawful communication* encompasses information that the soldier reasonably believes **provides evidence of** a violation of law or regulation, including a law or regulation prohibiting sexual harassment or unlawful discrimination, gross mismanagement, a gross waste of funds or other resources, an abuse of authority, or a substantial and specific danger to public health or safety. **Refer to the current version of DODD 7050.6 for up-to-date guidance on identifying a protected communication.**
- c. *Prohibition against making an unlawful communication with an IG, an MC, or the Office of Special Counsel (OSC).* Persons subject to this regulation will not knowingly make an unlawful communication with an IG, an MC, or the OSC. An example of unlawful communication is a false official statement (Article 107, Uniform Code of Military Justice (UCMJ)). This prohibition also applies to communications with IG, DOD, and the IGs of other Services and Federal agencies.
- d. *Persons subject to the UCMJ.* Persons subject to the UCMJ who violate the above prohibitions are subject to punishment under Article 92, UCMJ. They are also subject to adverse administrative action and other adverse action authorized by the United States Code or Federal regulations.
- e. *Persons not subject to the UCMJ.* DA civilian employees who violate the above prohibitions are subject to disciplinary action under AR 690–700, chapter 751, or criminal prosecution authorized by the United States Code or Federal regulations.
- f. *Reporting prohibited actions.* Persons who believe an action prohibited by paragraphs a, b, or c above has occurred should report the circumstances to the chain of command or to the local IG. Alternatively, the circumstances may be reported to a higher headquarters IG listed in the permanent “Notice of Rights to Present Complaints” posted on local bulletin boards. For guidance to IGs on resolving reprisal cases, see paragraph 8–10c.

1-12. Confidentiality

- a. **Persons who ask the IG for help; make a complaint; provide testimony, information, or evidence as part of an IG inspection or investigation; or otherwise interact with an IG often do so because they believe that they have an expectation of confidentiality. Their expectation often centers on the safeguarding of the individual's personal identity and the nature of the individual's contact with the IG. The IG has a duty to protect an individual's confidentiality to the maximum extent possible, particularly when the individual specifically requests confidentiality. Although confidentiality and the measures necessary to protect it will vary from circumstance to circumstance, the IG always treats confidentiality carefully and as a priority. While IGs should never promise confidentiality, IGs should endeavor to maintain confidentiality as a matter of primary importance and a key to the IG system's success.**
- b. **Confidentiality and discretion are core concepts for IGs. Unlike attorneys, chaplains, or physicians, however, IGs do not have a complete legal privilege of confidentiality. Rather, IG confidentiality results from the special relationship the**

IG has with the commander, the deliberative process, protection in both the Freedom of Information Act (FOIA) and the Privacy Act, and as a necessary incident to the protections of the Whistleblower Protection Act. The information that IGs gather such as testimony, the contents of certain conversations with persons seeking IG assistance, or information offered when participating in an IG sensing session represent official, non-public Government information. As official, non-public Government information, IG information is for official use only.

- (1) IGs are members of the commander's personal staff and serve as the commander's confidential advisor. IGs extend the eyes, ears, voice and conscience of the commander, and they conduct inspections, inquiries, and investigations and provide assistance as extensions of the commander. IGs are selected based upon their years of experience, judgment, and demonstrated leadership. These qualities include discretion.
- (2) As pre-decisional matters, IG records may be protected from release under the FOIA. IGs do not establish command policy or make command decisions except as the head of the IG staff section. Since IGs advise commanders and only offer recommendations, all IG advice on command matters is inherently pre-decisional. As such, confidential communications between an IG and a commander are critical to ensure an open, candid exchange of command information. IGs not only serve their immediate commander but also serve as extensions of all commanders in the chain of command and of the Army as an institution. IGs must remember, however, that they are members of their directing authority's personal staff. Therefore, they may share the most information with that authority. Release of IG information to other staff officers and subordinate commanders must follow the procedures for the release of confidential IG information outlined in this regulation. The information IGs gather belongs to the Army, and IGs may provide some of that information, as required, to the commanders and staff members who have an official need to know the information and use it in the performance of official duties. Therefore, IGs must protect the confidentiality of all information gathered in the performance of IG duties as a matter of the highest priority.
- (3) Army IG investigation files are a system of records subject to access under the Privacy Act. IG files compiled for law enforcement purposes may be exempt from access under exemption k (2) of the Privacy Act; however, in accordance with this exemption, if an individual is denied any right, privilege, or benefit for which he or she would otherwise be eligible as a result of the maintenance of such information, the individual will receive access to such information except to the extent that disclosure would reveal the identity of a confidential source.
- (4) The Military Whistleblower Protection Act (MWPA), Section 1034, title 10, United States Code (10 USC 1034), as implemented in DODD 7050.6 and this regulation, strongly suggests that IGs treat the information they receive in official communications as confidential and with the utmost discretion, particularly the names of complainants or witnesses who specifically request the protection of their identities. The law provides redress to persons who suffer reprisal as a result of the intentional or inadvertent release of IG communications to third parties. The protection of the MWPA is significant as it covers any communication with an IG. The scope of the protections afforded in this act signals to IGs that communications with an IG must be treated with greater discretion than other forms of non-public government information or other pre-decisional information.

- c. The degree of confidentiality and the specific information kept confidential varies according to the IG function:
- (1) **Investigations (investigations and investigative inquiries):** When a person complains or provides information about an impropriety or wrongdoing, the IG may disclose the complainant's identity to an IG; the local, supporting legal advisor; and the directing authority without the complainant's consent unless the IG determines that such disclosure is unnecessary or prohibited during the course of an inquiry or investigation. IGs must not disclose further the complainant's identity without the complainant's consent unless the IG determines that such disclosure is unavoidable during the course of an inquiry or investigation. If the IG determines that disclosure is unavoidable, the IG will inform the person prior to disclosure. If the person objects, the IG will coordinate with the local legal office before proceeding. The IG will include in the record and case notes all efforts to notify the person and the circumstances of disclosing the person's name.
 - (2) **Assistance Cases:** When a person seeks assistance from the IG, the IG must often reveal the person's identity to obtain the help needed. The IG will inform the person of that necessity, and the IG file and case notes will reflect that fact.
 - (3) **Inspections:** IGs will normally not reveal the names of individuals who provide information during the course of an inspection. IGs also do not identify units that collectively provide information as part of an inspection. The primary purpose of an inspection is to determine the root causes of systemic issues and not to assign personal or collective blame. IGs preparing inspection reports must ensure that they protect the identity of particular complainants or witnesses and their respective units; IGs must recognize that the commander will not be the only one to view the final report. In general, IG inspection reports are redacted for all attribution prior to release for official use only. IGs normally do not produce un-redacted versions of the report unless directed to do so by the directing authority (normally the commander). In those cases (usually for general, compliance-oriented inspections of units), the IG cannot release the un-redacted report to anyone but the directing authority without TIG's personal approval.
- d. When someone requests anonymity, the IG will take more extensive measures to protect the person's identity. The IG will not use the person's name as a file identifier or as a means to retrieve a file. The file must prominently state the request for anonymity, and the IG will minimize using the person's name in any IG file or record. The IG can avoid compromising anonymity by simply referring to the person as complainant, witness, or with a similar title—but not by name.
- e. The Triangle of Confidentiality.
- (1) A helpful notion to understand IG confidentiality is through the model known as the triangle of confidentiality. There are three parties contained in the triangle: the commander, the complainant, and the IG. In general, IGs may share the most sensitive IG information freely within the triangle although the IG is under no obligation to reveal sources if they are not pertinent to the issues or topics under consideration. IGs must distinguish between who stands in the role of the commander and the complainant. The commander is often the immediate commander, the IG's directing authority. However, if a complaint is about the conduct of that commander, an IG must not reveal confidential IG information to that commander. In such circumstances, this regulation requires that the IG report that information to either a higher-level IG; a higher-level commander; or, in the case of senior officials, DAIG's Investigations Division.

- (2) Certain staff members of either the commander or subordinate commanders may enter into the triangle temporarily if, at the discretion of the IG, they need to know confidential information to perform their duties. For example, a finance office requires the name and social security number of a soldier seeking assistance regarding a pay problem. However, even this apparently necessary release of IG information to the finance office presents a confidentiality challenge. Identifying this soldier in order to correct the pay action also reveals the fact that the soldier sought the IG's assistance. Therefore, IGs must inform persons seeking IG assistance that the IG might have to release information about the case to certain officials.
- (3) IGs may consult with staff experts to determine standards for use in inspections, inquiries, and investigations. In some cases, the extent of these consultations may require the IG to swear the staff member as a temporary assistant IG. In other cases, the IG may simply ask for assistance. IGs must exercise discretion in dealing with the other staff members. With the exception of the SJA (and the attorneys in the office of the Staff Judge Advocate, or OSJA), other staff members are not obliged to any special privileges. While all staff members must comply with obligations regarding non-public Government information and classified information, they are under no special obligation such as attorneys or IGs as described in this section. Therefore, IGs must exercise discretion when dealing with the staff.
- (4) The SJA and the attorneys in the OSJA provide legal advice to the commander, subordinate commanders, and their respective staffs. The SJA and the attorneys in the OSJA are also the IG's immediate legal advisor. IGs can reveal IG confidential information to the SJA and the attorneys in the OSJA to seek legal advice or to provide more complete advice to the commander. Attorneys are required by law and regulation to treat all information provided to them as privileged. The attorney-client privilege exists between the attorneys working on behalf of the Army and the Army as an institution and does not exist with the commander personally except to the extent that the commander represents the Army. Certain military attorneys such as legal assistance attorneys (LAAs) and trial defense service (TDS) attorneys may legally form attorney-client relationships with individual soldiers. IGs must exercise discretion when communicating with these attorneys as they may not need to be part of the triangle of confidentiality. LAAs and TDS counsel may represent a complainant and seek to communicate with an IG for assistance on matters related to their client's situation. In this situation, these attorneys may provide information that becomes subject to IG confidentiality.

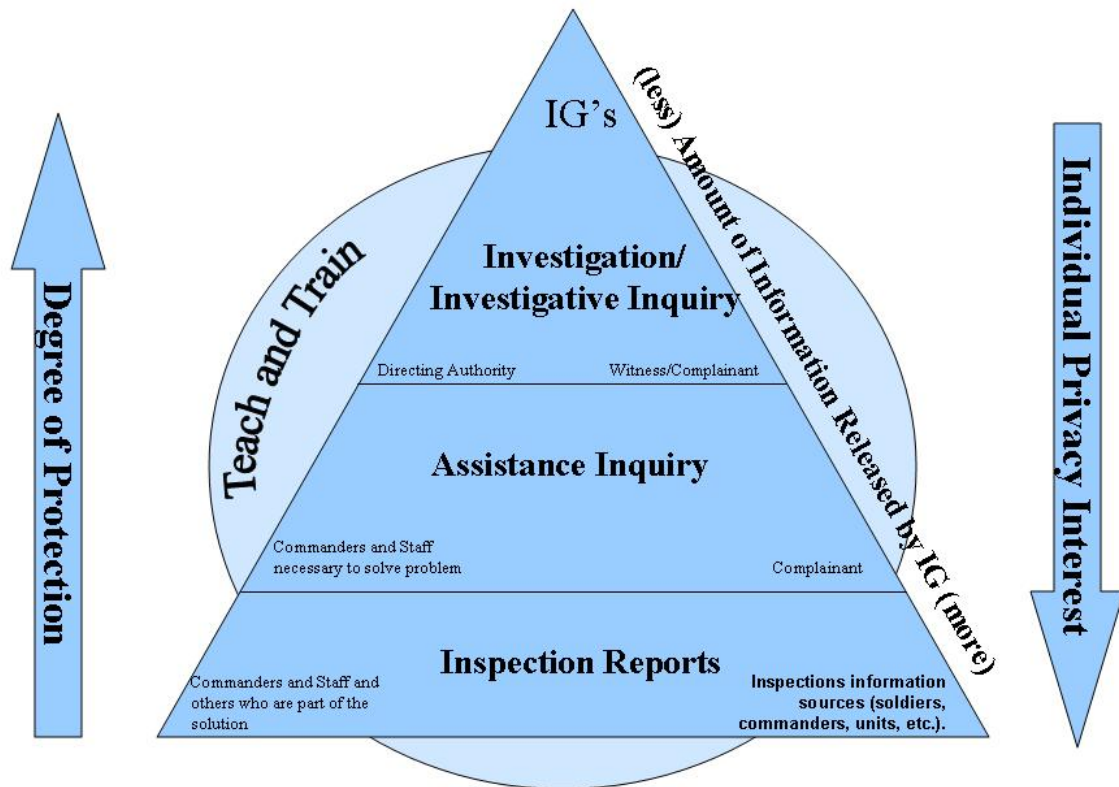


Figure 1-1 Triangle of Confidentiality by IG Function

Chapter 2

Inspector General Personnel Procedures

2-1. Inspector general positions

- a. IG positions are designated in approved modification tables of organization and equipment (MTOEs) and tables of distribution and allowances (TDAs). A command IG position is required on each MTOE that requires a general officer **to serve as the commander of a unit that has a wartime mission and may be authorized for separate brigades as well. [Approved by ATIG on 1 March 2005] TIG may approve command IG positions in units commanded by officers in the grade of colonel and below as necessary (for example, brigade-sized units of action, military police brigades, military intelligence brigades, etc.). Commanders reporting directly to HQDA have the authority to establish IG positions in TDAs.** (See AR 614–100.) Additionally, State AGs have the authority to modify the **multi-service headquarters** TDA in accordance with the guidelines established by the NGB in NGR 10–2. (For further guidance, contact the Chief, National Guard Bureau (ATTN: NGB–IG), Suite 11600, 1411 Jefferson Davis Highway, Arlington, VA 22202–3259.) TIG provides input and reviews manpower standards and staffing guides provided by the U.S. Army Force Management Support Agency's studies regarding minimum manpower requirements for IG activities. Detailed IGs, assistant IGs, and IG office or administrative support staff will be assigned to MTOE or TDA positions.
- b. IG positions will be designated in approved MTOEs and TDAs in coordination with DAIG (ATTN: SAIG–OP) to enable TIG, as the proponent of the IG System, to maintain visibility **of IG force structure** and to advise commanders on IG force structure issues.

2-2. Inspector general categories

- a. The IG System consists of **officers, warrant officers, noncommissioned officers, and DA civilians** serving in one of the following five categories:
 - (1) Detailed IG.
 - (2) Assistant IG.
 - (3) Temporary assistant IG.
 - (4) Acting IG.
 - (5) Office or administrative support staff **members. Administrative staff members include contract personnel performing administrative functions such as systems administration and the transcription of verbatim testimony.**Persons serving as detailed IGs, assistant IGs, temporary assistant IGs, and acting IGs **carry the title of inspector general. The detailed IG who serves as the commander's IG and chief of an IG office carries the title of command IG (often called the primary or principal IG). All persons who fall into these five categories must obtain and maintain a Secret clearance; some IG duty positions may require a Top Secret clearance. TIG can make exceptions to this security-clearance requirement as necessary.** Table 2–1 lists the five categories and the actions each performs.
- b. TIG establishes the prerequisites for service as an IG.
- c. Commissioned officers are selected as detailed IGs and must qualify for the detail in accordance with AR 614–100. **In addition, DA civilians in the grade of GS-12 (CPT equivalent) and above may be designated as detailed IGs with TIG's approval (this approved designation as a detailed IG will stand as long as the civilian serves as an IG). Civilians may serve continuously as IGs as long as they retain their IG qualification status. Commissioned chief warrant officers (CWOs) also serve as detailed IGs.**
 - (1) Command and State IGs must be detailed IGs who **serve** on the **commander's** personal staff. The command IG or the State IG works directly for the commander or State AG. **Through the use of technical channels, all Army IGs operate with,**

contribute support to, and obtain support from other IGs **throughout the Army IG System**, to include joint command IGs and other Service IGs.

- (2) Detailed IGs may receive and process requests for assistance, direct and conduct inquiries, conduct investigations and inspections, and administer oaths. Detailed IGs wear the IG insignia **after successful completion of The Inspector General School (TIGS)** (see AR 670–1).

Note. The IG insignia will not be worn for official photographs.

- (3) When a command or State IG is about to complete or curtail an IG detail and another detailed IG is not readily available to assume or act in the position of the command or State IG, **the higher-level IG will ensure that a detailed IG is designated to provide technical assistance to the subordinate-level IG office until a detailed IG is available.**

d. Assistant IGs are chief warrant officers (CWOs) **who are not commissioned**, noncommissioned officers (sergeants first class (SFC) **or promotable staff sergeants (SSG (P)) and above**), **military technicians**, or civilian employees (General Schedule 9 (GS–09) and above) who perform IG functions on the staff of a command or State IG. Noncommissioned officer (NCO) assistant IGs **(including military technician assistant IGs)** must qualify for the IG assignment under AR 614–200 as applicable. **CWOs** must be graduates of the Warrant Officer Advanced Course in the grade of CW2 (P) and above **(see para c above for guidance on commissioned CWOs as detailed IGs)**. **TIG will approve all requests for exceptions to policy concerning grade qualifications.**

- (1) An assistant IG may receive and process requests for assistance; conduct IG inquiries; assist detailed IGs with IG investigations, **IG investigative inquiries**, and IG inspections; perform administrative duties; **and administer oaths.**
- (2) Assistant IGs assist detailed IGs in the conduct of inspections by either **serving as** a member of an inspection team led by the detailed IG or by leading an inspection team that is under the detailed IG's direction.
- (3) Enlisted soldiers serving as assistant IGs will wear IG insignia **after successful completion of TIGS.**
- (4) **CWOs serving as assistant IGs will also wear IG insignia after successful completion of TIGS.**

Note. The IG insignia will not be worn for official photographs.

e. Temporary assistant IGs are commissioned officers, CWOs, enlisted soldiers, DA civilian employees, **and contracted subject-matter experts** temporarily detailed to augment an IG inspection or investigation team for a specified period of time. **Commanders with authority over the required individuals may task them to serve as a temporary assistant IG; however, the commander must request through normal command or tasking channels augmentees required from outside the command.** Individuals detailed as temporary assistant IGs must possess **the required** specialty training and field experience. Additional guidance can be found in AR 614–100 (commissioned officer and CWOs), AR 614–200 (enlisted soldiers), and AR 140–10 (Reserve Components (RC) personnel). The term of service of a temporary assistant IG **depends upon the duration of an inspection or investigation or is at the discretion of the commanders involved (see para 6-4a (5) for additional information on temporary assistant IGs and IG inspections).**

- (1) TIG must approve soldiers assigned as temporary assistant IGs who perform IG duties for more than 180 days. MACOM Commanders will approve soldiers assigned as temporary assistant IGs to perform IG duties in excess of 90 (but fewer than 180) days. MACOM commanders may delegate this authority to the first general officer in the chain of command. The local commander authorized a detailed IG will approve temporary assistant IGs assigned for 90 days or less.
- (2) The command or State IG will ensure that persons selected to serve as temporary assistant IGs receive appropriate training before performing IG functions. **At a minimum, they must receive training on the basic IG concept and system, the IG tenet of confidentiality, and restrictions placed upon the use and**

- distribution of IG records.** Temporary assistant IGs who are expected to perform IG functions for over 180 days will attend the IG **school** as soon as possible after selection by the authorized commander. Exceptions require TIG approval.
- (3) Temporary assistant IGs may not administer oaths.
 - (4) Commissioned officers and enlisted soldiers assigned as temporary assistant IGs will wear IG insignia when the duration of their service as temporary assistant IGs is anticipated to be for more than 180 days.
 - (5) Temporary assistant IGs will work under the supervision of a detailed IG and will not lead an inspection, investigation, or inquiry. Temporary assistant IGs will not process IGARs but may assist a detailed or assistant IG with IGARs if their special expertise **is necessary**.
- f. Acting IGs are commissioned officers appointed to this additional—**but temporary**—duty by a MACOM commander **or the senior Army Forces (ARFOR) commander when serving under a joint or unified command**. TIG may approve exceptions (ATTN: SAIG–OP) in cases where a commissioned officer or civilian **in the appropriate grade** is not available (see para 2–2c). An acting IG assists a detailed IG with receiving IGARs in population areas for which the detailed IG has responsibility but from which the detailed IG is often geographically separated. The detailed IG has several other options to the appointment of an acting IG, to include conducting periodic IG assistance visits, publishing toll-free numbers, using facsimile transmittals, receiving IGARs in conjunction with inspections, and executing Memorandums of Agreement (MOAs) with other IGs.
- (1) Acting IGs will only provide **simple** assistance. Acting IGs will not conduct investigative inquiries or investigations, serve on IG inspection teams, or perform duties in the office of a detailed IG. Acting IGs may not administer oaths.
 - (2) Acting IGs will not wear IG insignia.
 - (3) Detailed IGs will train acting IGs **on their responsibilities and all necessary procedures**. Additionally, acting IGs will receive technical and **performance supervision** from a detailed IG.
 - (4) Commissioned officers **or civilian employees** in the chain of command, or those who routinely assume duties in the chain of command, will not be designated as acting IGs. **For example, a battalion executive officer should not be assigned as an acting IG. If the executive officer assumes temporary command of the battalion, the officer's effectiveness as an acting IG would be compromised. Civilian employees occupying positions such as deputy commander will also not assume duties as an acting IG.** (For example, a battalion executive officer (XO) should not be assigned as an acting IG. If the XO assumes temporary command, the XO's effectiveness as an acting IG would be compromised.) TIG will approve all exceptions (ATTN: SAIG–OP).
 - (5) Acting IGs will not be assigned non-IG investigations such as AR 15–6 investigations, commander's inquiries, reports of survey, line of duty investigations, and Article 32 investigations. (See para 2–6a (2).) Although these duties may not conflict directly with the acting IG's duties, they may create the perception in the command of an IG investigation while placing the acting IG in a position of fulfilling two separate but opposing roles.
 - (6) When an acting IG is approved, the command or State will announce the designation of the acting IG by memorandum. The command or State IG will also send a memorandum to the acting IG. This memorandum will specify the extent of the acting IG's authority to receive and act upon requests for assistance and will identify the detailed IG **charged with supervising** the acting IG's activities.
- g. Office and administrative support staff are soldiers and civilian employees who serve in administrative and support positions (such as administrative assistants, secretaries, drivers, computer operators, clerks, typists, and so forth) on the staff of a command or State IG. Although they are not assistant IGs, they will take the IG oath (see para 2–5) because they are part of the IG System and **typically** have access to IG records **and the IGARS database**. Command and State IGs will ensure that administrative support personnel do not perform any of the IG functions but are obligated to protect

confidentiality in accordance with paragraph 1–12. **Office and administrative support staff may also attend the resident IG school on a space-available basis. The primary IG, after consulting with and receiving permission from TIG, may designate school-trained office and administrative support staff personnel to serve temporarily as assistant IGs on an emergency basis for specified periods of time. These designated support staff members may perform all of the duties of an assistant IG such as leading assistance; teaching and training; and participating in inspections and investigations, to include administering oaths as authorized. Contract personnel serving in an IG office will not take the IG oath. Any contract providing support to an IG office will include provisions requiring contractor personnel to maintain the confidentiality of IG records and information.**

2-3. Inspector general certification

- a. The IG certification process consists of three **steps**: nomination; selection, which is approval of the nomination; and training (see chap 5 **and app C**). TIG certifies all **uniformed** Army IGs to perform IG duties after they complete the **three-step** process. The **U.S. Army Human Resources Command (USAHRC) makes nominations** for Active Army assignments as detailed IGs, assistant IGs, or temporary assistant IGs for more than 180 days either as a result of the requisition process or of the identification of a local nominee by the commander or IG. **USAHRC-St. Louis (formerly AR-PERSCOM) makes nominations** for USAR AGR assignments as detailed IGs or assistant IGs as a result of the requisition process. For ARNGUS personnel, **NGB will review** nomination packets prior to submission for TIG approval. **For AGR USAR commissioned and noncommissioned officers, IG, USARC, will review nomination packets prior to submission for TIG approval.** TIG approves nominations of all soldiers to **serve** as detailed and assistant IGs within the IG System and as military temporary assistant IGs assigned in excess of 180 days. TIG also approves nominations of all soldiers assigned to IG duties in joint and unified commands and IG, DOD, prior to the approval of the gaining command.
- b. **Commissioned officers considered for IG duty must meet the following minimum qualifications as outlined in AR 614-100, paragraph 3-2d. These commissioned officers must—**
 - (1) **Be in the grade of CW3 or above or captain or above. A captain must have successfully completed company-, battery-, or troop-level command and be a graduate of a Captain's Career Course. USAR AGR officers are exempt from this command requirement due to limited command opportunities; however, USAR AGR officers will be nominated for USAR IG positions only if they are within one year of promotion to—or consideration for—the grade of major. If possible, field-grade officers will be branch qualified before beginning an IG assignment and, at a minimum, be MEL 4 graduates; ARNG field-grade officers are exempt from this MEL 4 requirement. Commissioned warrant officers should be graduates of, or have credit for, senior warrant officer training.**
 - (2) **Have broad experience and an Army background that reflects outstanding performance and demonstrated potential for future service.**
 - (3) **Display moral attributes and personal traits that demonstrate adherence to Army values.**
 - (4) **Serve no consecutive details as an IG. TIG may approve consecutive details as an exception to policy with the specific consent of the officer concerned.**
 - (5) **Present good military bearing and appearance.**
 - (6) **Meet body composition requirements as outlined in AR 600-9.**
 - (7) **Possess a Secret clearance and be able to maintain it.**
 - (8) **Remain in a deployable status for all required areas.**
- c. **Noncommissioned officers (staff sergeant (P) and above) considered for IG duty are nominated or may volunteer.**

- (1) In accordance with the minimum qualifications outlined in AR 614-200, paragraph 8-1, these noncommissioned officers must—
 - (a) Not be on assignment instructions.
 - (b) Be high school graduates or have a GED equivalency.
 - (c) Have 36 months of service remaining or be eligible to extend or reenlist.
(See AR 601-280)
 - (d) Be citizens of the United States (by birth or naturalization).
 - (e) Have excellent character, good moral background, and emotional stability.
 - (f) Have no record of:
 - (1) Punishment under UCMJ, Article 15.
 - (2) Conviction by court-martial.
 - (3) Time lost during current enlistment.
 - (4) Derogatory information contained in IG records as screened by the USAIGA.
 - (g) Have no record of civil conviction except for minor offenses.
 - (h) Have an "A" or "B" profile serial code and a "1" under "S" factor of physical profile.
 - (2) Have broad experience and an Army background that reflects outstanding performance and demonstrated potential for future service.
 - (3) Display moral attributes and personal traits that demonstrate adherence to Army values.
 - (4) Serve no consecutive details as an IG. TIG may approve consecutive details as an exception to policy with the specific consent of the officer concerned.
 - (5) Present good military bearing and appearance.
 - (6) Meet body composition requirements as outlined in AR 600-9.
 - (7) Possess a Secret clearance and be able to maintain it.
 - (8) Remain in a deployable status for all required areas.
- d. Officers and soldiers assigned to IG duty positions must first attend and successfully complete TIGS at Fort Belvoir, Virginia. Upon successful completion of the school, officers will be awarded an additional skill identifier (ASI) of 5N, and soldiers will be awarded SQI "B".
 - (1) Normally, detail in an IG duty position is a 36-month stabilized tour (or the tour elected in accordance with AR 614-30). However, soldiers assigned locally to fill IG duty positions are stabilized for 24 months unless they are released for cause or physical reasons. Officers and soldiers approved by TIG for IG duty will not be reassigned or removed without TIG approval until completion of the designated tour stabilization.
 - (2) Normally, noncommissioned officers will not serve consecutive or repetitive tours as an IG. TIG must approve all nominations for repetitive or consecutive IG tours.
- e. **MACOM commanders or the senior ARFOR commander when the Army IG is serving under a joint or unified command may appoint** commissioned officers to **serve** as acting IGs for active and subordinate USAR units. **These** commanders may delegate the authority to approve such nominations to the first general officer in the chain of command. The State AG approves the appointment of commissioned officers as acting IGs in the State or territory of the NG. If a commissioned officer is not available for nomination as an acting IG, a request for exception may be submitted to TIG. The request must demonstrate the need for an acting IG, explain why no commissioned officer is available, and describe the qualifications of the nominee.
- f. Nomination **packets** of Active Army commissioned officers to be a detailed IG in a State, territory, Commonwealth of Puerto Rico, or the District of Columbia will originate with USAHRC. The CNGB must review the nominations with an endorsement by the State AG prior to TIG approval. **Department of the Army civilians who also serve as Troop Program Unit (TPU) soldiers assigned to the command will not be considered for IG positions because of the inherent conflict of interest that will arise in holding both positions within the same command.**

- g. Reserve Components military technicians will not be approved for USAR troop program unit (TPU) or ARNGUS mobilization-day (M-day) IG positions **unless the position is a dual-status technician and TPU or M-day IG position. The military technician must be assigned full time in an IG position and drill in an IG position. Otherwise, a conflict of interest would arise in holding two separate military positions—one full time and another in TPU or M-day status. Military technicians must be nominated, selected, approved, and trained in accordance with this regulation.** Command and State IGs should avoid hiring civilian assistant IGs who hold a RC status (non-IG position) for the same reason.
- h. Multiple nominations for one duty position will not be considered. Announcement of the detail will be made in accordance with AR 614–100.
- i. The local command or State IG will approve civilian employees selected to serve as assistant IGs. Command and State IGs will report newly hired assistant civilian IGs to TIG (ATTN: SAIG–TR) so that the Inspector General Personnel System (IGPERS) database can be updated and selection verified for attendance at **TIGS**.

2-4. Length of inspector general assignments

- a. Detail as an IG is for a 3-year, stabilized tour (or the tour elected in accordance with AR 614–30) with curtailments handled on a **by-exception basis. Commanders may relieve IGs for cause when appropriate in accordance with AR 623-105. In all other instances, soldiers** approved by TIG for IG duty will not be reassigned or removed without TIG approval until the prescribed tour has been completed. TIG will normally approve requests for early release based upon professional development reasons, including, but not limited to, assignment to branch-qualifying positions or professional development schools. Under special conditions, TIG may approve removal or reassignment of an IG without prejudice. The commander or the soldier will initiate requests for curtailment and removal without prejudice. Requests will be on a DA Form 4187 or in memorandum format and will contain a justification and anticipated release date. The immediate supervisor must endorse curtailment requests, and these requests will be processed through normal personnel channels to the soldier's assignment manager (at **USAHRC, USAHRC-St. Louis, or NGB**). The assignment manager will forward requests to DAIG (SAIG–OP) for TIG approval. All ARNGUS requests for IG duty curtailments for both Active Army and ARNGUS soldiers will be forwarded through Chief, National Guard Bureau (CNGB), prior to being sent to TIG for approval. **All requests for IG duty curtailments for USAR soldiers will be forwarded through the IG, U.S. Army Reserve Command (USARC), prior to being sent to TIG for approval.** Soldiers removed for cause do not require TIG approval. TIG will be notified immediately of any removal for cause. Replacements for approved curtailments will be processed through normal personnel channels. TIG may remove any soldier from service as an IG.
- b. For Active Army soldiers, the soldier's assignment manager is the approval authority for extending a detailed IG or an assistant IG from a third to a fourth year. Extension of any IG duty beyond 4 years requires TIG's concurrence. **The immediate supervisor must endorse extension requests for subsequent processing through normal personnel channels to the soldier's assignment manager.** The assignment manager will provide copies of all approved extensions to DAIG (SAIG–OP). If the assignment manager disapproves the request for extension, he or she will send a copy of the disapproval to DAIG (SAIG–OP). Extension requests for details beyond 4 years on which the assignment manager recommends approval will be forwarded to DAIG (SAIG–OP) for coordination and final TIG approval.
- c. The MACOM, in coordination with USAHRC-St. Louis or Office of the Chief, Army Reserve (OCAR), may approve fourth-year extensions of USAR soldiers. Authority to approve fourth-year extensions of USAR soldiers may be delegated to the first general officer in the chain of command. **For all USAR units under FORSCOM, the authority to approve fourth-year extensions of USAR soldiers rests with the commander, USARC, whenever the commander, FORSCOM, delegates such authority.** Extension requests for details beyond 4 years for which the assignment manager recommends

- approval **will be forwarded through IG, USARC**, to DAIG (SAIG–OP) for coordination and final TIG approval.
- d. The State Adjutant General may approve fourth-year extensions of ARNGUS soldiers. Extension requests for details beyond 4 years for which the assignment manager recommends approval will be forwarded to DAIG (SAIG–OP) for coordination and final TIG approval.
 - e. **A specified length of assignment for civilian detailed and assistant IGs (to include military technicians) does not exist.** The command or State IG determines the length of the IG assignment in accordance with applicable civilian employment policies.

2-5. Inspector general oath

- a. **Officers, warrant officers, noncommissioned officers, and DA civilians** serving as IGs and office administrative support staff **members** will take the IG oath. (See figs 2–1, 2–2, and 2–3.) The commander or an authorized representative will administer the IG oath. **A detailed IG may administer the IG oath to any category of IG. An assistant IG may administer the IG oath to a temporary assistant IG or acting IG. An acting or temporary assistant IG may not administer the IG oath. Contractor personnel working in an IG office will not take the IG oath.**
- b. **The IG oath exists in three variations: detailed/assistant IG, temporary assistant IG, and acting IG. Although primarily describing the position of a detailed IG, each IG oath is nevertheless appropriate for all personnel serving in an IG office (except contractors) or as an acting IG.** Everyone serving in an IG office contributes to the effectiveness of the IG System, manages sensitive information, and represents the IG functions to other persons and agencies. The IG oath reminds all IG personnel of the special trust and confidence inherent in their position.
- c. Personnel who have sworn or affirmed the IG oath will **receive** DA Form 5097 (Inspector General Oath) (fig 2–1), or DA Form 5097–1 (Inspector General Oath (Non-IG)) (fig 2–2), or DA Form 5097–2 (Inspector General Oath (Acting IG)) (fig 2–3) as appropriate. DA Form 5097, DA Form 5097–1, and DA Form 5097–2 are available **from TIGS**.
- d. **When a commander departs the command, the primary IG may choose to execute another IG oath with the incoming commander as a way to express with that new commander the special relationship shared by both individuals. However, a new oath is not required. IGs serving in the command's IG office may also execute a new IG oath with the incoming commander at that commander's discretion. If an IG moves to an IG office in another command, the IG will execute a new oath with his or her new commander. All individuals with prior IG experience who are re-nominated for a second, non-consecutive IG detail must execute the IG oath upon arriving at his or her new command.**

2-6. Inspector general duty restrictions

- a. Detailed IGs, assistant IGs, temporary assistant IGs, and acting IGs will not—
 - (1) Be assigned to any non-IG assistance or evaluation functions such as maintenance assistance and inspection teams, command logistics evaluation and review teams, readiness evaluation teams, command or staff inspection teams, or **other** similar teams. **In addition, temporary assistant IGs will not perform other duties while supporting an IG inspection or investigation until released by a detailed IG or the directing authority.**
 - (2) Be appointed as investigating officers under Article 32, Uniform Code of Military Justice (UCMJ, Art. 32); Article 138, Uniform Code of Military Justice (UCMJ, Art. 138); AR 15–6; or **any** other regulation providing for the appointment of investigating officers, members of administrative separation boards, or members of courts-martial. **However, TIG, DTIG, or the DAIG executive officer may appoint IGs within DAIG as investigating officers on matters within DAIG in accordance with AR 15-6 or report of survey officers in accordance with AR 735-5. In this case, the officer follows the procedures prescribed in the applicable regulation to perform the**

investigation or report of survey and not IG procedures as outlined in this regulation.

- (3) Be assigned duties that may subsequently disqualify them from making or assisting in impartial inquiries or investigations within their sphere of activity (see paras 1–9a, 2–2f (4) and 2–2f (5)). Examples include staff duty officer or NCO; line of duty investigator; casualty assistance officer or NCO; member of an interior guard force; **member of a contracting awards board; member of a civilian awards board; member of a local awards board, promotion board, or command board; management control coordinator;** member of a funeral detail; or member of any committee or function unless directly related to IG matters.
- b. **Commanders will normally designate their operations staff agency (G-3, S-3, etc.) to coordinate the Organizational Inspection Program (OIP) since this staff agency has tasking authority, oversight of training calendars, etc. However, IGs may serve as the OIP coordinator at the discretion of the commander (see para 1-4f, AR 1-201). IGs may also organize and coordinate the commander's command inspection program but will not lead or physically inspect as part of the command inspection effort (see para 6-3/ for specific IG duty restrictions regarding command inspections). Organizing and coordinating means that the IG may assist in scheduling and synchronizing the various command inspection activities on behalf of the commander without assuming a leading role, inspecting as part of the command inspection, or conducting in-briefings and out-briefings.**
- c. The restrictions in this paragraph are intended to preclude conflicts of interest, prevent the prejudice of impartiality, and protect the integrity of the IG System. IGs are never off the record; IGs do not **establish** command policy; IGs do not recommend adverse personnel action; and IGs do not do anything that may jeopardize the distinction between **serving as an** extension of the commander and as a fair and impartial fact-finder. The restrictions in this paragraph are not intended to exclude IGs from performing management functions normal for offices and staff office chiefs such as participating in the budget process and contributing to goal-setting for the command.
- d. **Commanders must gain TIG approval to use their IGs for non-IG duties due to operational requirements, taskings, and other demands—even if the tasking or requirement is for only one day in duration. IGs will advise their commanders that TIG reserves the right to approve or disapprove all such requests.**
- e. **Detailed IGs must have the approval of their commanders and TIG to participate in voluntary positions not associated with the U.S. Army such as president of a homeowners association, scoutmaster, minister, etc. Commanders must be aware of the level of outside community involvement by all detailed IGs within their command to preclude potential or perceived conflicts of interest or other negative perceptions that might arise. Likewise, command IGs will approve this same participation in voluntary positions for assistant IGs, temporary assistant IGs, and acting IGs. The command IG must notify the commander of this participation, but TIG approval is not required.**

2-7. Retiree Mobilization Program

TIG is the approving authority for retired commissioned officers (under 60 years of age) nominated for pre-assignment orders to IG positions in accordance with AR 601–10. **USAHRC-St. Louis will identify and nominate officers to serve as IGs in this program who have an ASI of 5N. USAHRC-St. Louis will forward the nomination packet through IG, USARC, for comment prior to submission to TIG for approval.**

2-8. Cross-leveling of USAR IG personnel during mobilization

- a. **The IG, USARC, must remain informed of all internal major subordinate command (MSC) cross-leveling requests and actions for IGs. Requests for cross-leveling IGs between MSCs (two general-officer-level commands) require review by IG, USARC, and TIG approval.**

- b. The primary IG, with the approval of the regional readiness command, functional command, or division commander, is authorized to cross-level detailed and assistant IGs within the same command to increase IG support to soldiers, families, and civilians. This authority includes the cross-leveling of noncommissioned officer IGs with a mismatched MOS and other IGs within the same command for promotion purposes. The MSC IG office conducting the cross-leveling action will notify IG, USARC, for tracking purposes; in turn, IG, USARC, will inform DAIG (SAIG-OP).

2-9. Individual Mobilization Augmentee (IMA) Program

The gaining unit nominating an IMA soldier for IG duty is responsible for assisting the IMA soldier with the nomination packet. Nomination packets will be forwarded through IG, USARC, for review and recommendation prior to submission to TIG for approval.

2-10. Individual Ready Reserve (IRR) Program

Nomination packets for IRR soldiers will be forwarded through IG, USARC, for review and recommendation to IG, FORSCOM, prior to submission to TIG for approval.

2-11. USAR 179-day tours of duty

IG, USARC, must approve requests for all USAR IG short tours (less than 180 days).

2-12. Procedures for requesting a USAR Individual Augmentee (IA) or replacement for deployed USAR commands

a. The IA request process is as follows:

- (1) The unit submits the request through the Army service component to ensure that the Combatant Command (COCOM) can verify the requirement(s) on the joint manning document (JMD).
- (2) The COCOM commander will then forward the JMD along with specific reporting dates to the Army service component for fill. The Army service component will request the individual in accordance with established Army policies. The Department of the Army will determine personnel availability and fill requirements from internal Army assets.
- (3) The requirement is forwarded via the Worldwide Individual Augmentee System (WIAS) to FORSCOM for TPU soldiers and then on to USARC for fill or to HRC-St. Louis for retired reserve, IMA, IRR, and AGR soldiers. The USAR augmentee must be a volunteer. The organization responsible for the IA's mobilization and deployment as an IG must assist that soldier in completing the nomination packet and forwarding it to IG, USARC.
- (4) TPU nominations are forwarded through IG, USARC, to IG, FORSCOM, prior to submission to TIG for approval.
- (5) IG, USARC, reviews all nominations for retired reserve, IMA, IRR, and AGR soldiers prior to submission to TIG for approval.
- (6) The augmentee may backfill a deploying soldier or join a unit (to include a joint task force headquarters or other headquarters element) that will or has deployed.

- b. The Replacement Process:** The Army service component will determine if Army assets in theater can fill the requirement. If not, the requirement is transmitted via WIAS to HRC for fill in the case of retired reserve, IMA, IRR, and AGR soldiers. The IG nomination process remains the same.
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Table 2-1
Categories of inspectors general

| Grade and duties | Detailed IG | Assistant IG | Temporary assistant IG | Acting IG | Admin support staff |
|----------------------------------|---|------------------------------------|--|---|--|
| Grade | Com Off, CPT+, Com CWOs, selected GS-12+ | CW2(P)+, SFC+, GS-9+ | Com Off, WO, NCO, DAC | Com Officer (exceptions approved by TIG) | In accordance with MTOE or TDA |
| Approved by | TIG | Military by TIG; DAC by cmd | TIG for 180 days+; MACOM for 90 to 180 days; local cmd for under 90 days | MACOM for Active Army and USAR; TAG for ARNGUS; exceptions by TIG | Local command |
| Trained by | DAIG | DAIG | Detailed IG; by DAIG if duty over 180 days | Detailed IG; DAIG if space available | Detailed IG; DAIG if space available |
| Take IG oath | Yes | Yes | Yes | Yes | Yes |
| Conduct IG inspections | Yes | Assists detailed IG | Assists detailed IG | No | No (unless approved and a graduate of TIGS) |
| Conduct IG assistance | Yes | Yes | Assists detailed/ assistant IGs | Yes, under supervision of detailed IG | No (unless approved and a graduate of TIGS) |
| Conduct IG inquiries | Yes | Yes | Assists detailed IG | No | No (unless approved and a graduate of TIGS) |
| Conduct IG investigations | Yes | Assists detailed IG | Assists detailed IG | No | No (unless approved and a graduate of TIGS) |
| Administer oaths | Yes | Yes | No | No | No (unless approved and a graduate of TIGS) |
| Perform admin duties | Yes | Yes | Yes | Yes | Yes |
| Tour length | 3 years | Military: 3 years; DAC: indefinite | In accordance with ARs 614–100, 614–200, 140–10; DAC in accordance with CPAC | In accordance with command | In accordance with command |
| Wear IG insignia | Military only | WO and NCO only | Military only if duty over 180 | No | No |

days



Figure 2-1. Sample DA Form 5097 [IG Oath Certificate]



Figure 2-2. Sample DA Form 5097-1 [IG Oath Certificate for Temporary Assistant IGs]



Figure 2-3. Sample DA Form 5097-2 [IG Oath Certificate for Acting IGs]

Chapter 3

Inspector General Records

3-1. Nature of inspector general records

- a. All IG records, including USAR IG records and ARNGUS IG records concerning Federal matters, are the property of the SA. **IGs maintain these records on the SA's behalf.** The designated release authority for all IG records is TIG.
- b. IG records are privileged documents and contain sensitive information and advice. Unauthorized use or release of IG records can seriously compromise the IG's effectiveness as a trusted adviser to the commander or State AG and may breach IG confidentiality. (See para 1–12.)
- c. Army IG records are any written or recorded IG work-product created during the course of an IG assistance case, inquiry, inspection, and investigation. An IG record includes, but is not limited to, correspondence or documents received from a witness or a person requesting assistance, IG reports, IG Worldwide Network (IGNET) **data**, or other computer automatic data processing (ADP) files or data, and IG notes and working papers.
- d. Non-IG records are documents contained within the IG file created by other Army or Federal agencies or documents from outside the Federal Government. While these records may be under the control of the IG for purposes of conducting assistance, inquiries, inspections, and investigations, release of these records remains under the jurisdiction of the originating organization. Requests for non-IG records will be referred to the appropriate custodian for release determination and direct response to the requester. For release of IG records or information to DA investigators, see paragraph 3–6b (3).
- e. Only TIG and DTIG or their designated representatives (Legal Advisor and Deputy Legal Advisor) have the authority to release IG records. (See para 3–5.)

3-2. Protection of inspector general records

- a. IGs will mark **all** unclassified IG records "For Official Use Only (FOUO)" and "Dissemination is prohibited except as authorized by AR 20–1." The markings will appear **on all IG reports starting** on the bottom of the front cover, on every page that contains IG sensitive information, and on the outside of the back cover. The acronym "FOUO" will not be used. **In accordance with paragraph 4-200 of AR 25-55, "For Official Use Only" (FOUO) will appear in bold letters at least 3/16th of an inch high at the bottom of the outside of the front cover (if any), on each page containing FOUO information, and on the outside of the back cover (if any).**
- b. When IG records are released outside IG channels (see paras 3–6 and 3–7), IGs will mark them **as follows**: "This document contains information EXEMPT FROM MANDATORY DISCLOSURE under the FOIA. Exemption(s) (number(s)) apply." The following exemptions may apply to IG records:
 - (1) Inspection reports—Exemption 5.
 - (2) ROI—Exemptions 5, 6, and 7.
 - (3) Reports of Investigative Inquiry—Exemptions 5, 6, and 7.
 - (4) Inspector General Action Requests—Exemptions 5, 6, and 7.
- c. IGs will mark classified IG records in accordance with AR 380–5, **AR 25-55, and all other applicable security classification guides**. IGs will also mark these records as follows: "When declassified, document becomes For Official Use Only. Dissemination is prohibited except as authorized by AR 20–1."
- d. IGs will mark each magnetic tape, floppy disk, **or similar type of data storage device** containing IG data with the appropriate DA label. (See AR 25–55 and AR 380–5.)
- e. Original copies of IG correspondence designed to leave IG control (such as replies to correspondence or subjects and letters to MC) are not given protective markings and treatment. However, IGs should protectively mark file copies of such correspondence if that correspondence leaves IG channels.

- f. Internal management documents designed to circulate within an IG office and that govern routine matters do not require protective markings; however, they are still protected as FOUO material.
- g. Each part of an electrically transmitted message containing FOUO information shall be marked appropriately. Unclassified messages containing FOUO information shall contain the acronym "FOUO" before the beginning of the text.
- h. Destruction of IG records will be in accordance with AR 25–55, chapter 4, section 5; AR 25–400–2; or AR 380–5 as appropriate.

3-3. Use of inspector general records for adverse actions

- a. Inspector general records will not be used as the basis for adverse action (see glossary) against individuals, military or civilian, by directing authorities or commanders except when specifically authorized by SA, USofA, CSA, VCSA, or TIG. Requests for such use will be submitted to TIG. **For a request to use the results of an IG investigation for adverse action**, the request must state why a follow-on investigation would be unduly burdensome, disruptive, or futile. **Follow-on investigations preclude the necessity of using IG records for adverse action and thereby safeguard the image and integrity of the IG System.**
- b. When an IG record is used as the basis for adverse action, the individual concerned may be entitled to additional due-process rights as outlined below:
 - (1) *Non-Senior officials.* IG records will not be used as a basis for an adverse action that will be filed in a non-senior official's official personnel file (as defined by AR 600–37) unless the issuing authority has obtained approval as outlined in paragraph a above. In addition, the non-senior official **must have** the opportunity to review the IG records that serve as the basis for the proposed filing and make a written statement in rebuttal or to decline in writing **the opportunity** to make such a statement.
 - (2) *Senior officials.* **IG records may be used as the basis for an adverse action against a senior official with TIG or DTIG approval as outlined in subparagraph a above. The adverse action must ultimately afford the senior official due process protection.**
- c. Release of the IG record may breach the confidentiality of witnesses and/or IG opinions, conclusions, and recommendations. Commanders, State AGs, and directing authorities must consider this impact when deciding whether to request the use of an IG record for adverse action. Extreme care should be taken to ensure that any adverse action taken by a supervisor against a subordinate does not constitute a reprisal against a "whistleblower " and is otherwise taken within the guidelines of the Whistleblower Protection Act (see Section 2302, title 5, United States Code (5 USC 2302)) and the Whistleblower Protections for Members of the Armed Forces (see Section 1034, title 10, United States Code (10 USC 1034)). Chapter 8 provides specific guidance in situations in which IG investigations should be directed instead of other types of investigations such as those conducted by USACIDC or pursuant to AR 15–6.
- d. When considering the use of IG records as the basis for adverse action, the IG office with the records will submit the request to the Records Release Office address, The Inspector General (ATTN: SAIG–ZXR), **2511 Jefferson Davis Highway, Arlington VA 22202-3912**, describing precisely which portions of the IG records are requested and why. Assistance in determining whether an action is deemed adverse may be obtained from the servicing legal office or DAIG's Legal Advisor. **(See the definition of adverse action in the glossary.)** The IG will also encourage consultation between the commander concerned and the servicing legal office regarding the need for IG records as the basis for the action contemplated and the availability of other evidence to serve the same purpose.
- e. **Commanders will not initiate a flagging action for individuals under IG investigation since such an action could be construed as adverse in nature. Commanders seeking approval for the use of IG records for adverse action may flag the individual in accordance with AR 600-8-2, Suspension of Favorable Personnel Action (Flags), immediately upon initiating the request.**

- f. When IG records are approved for use as the basis for adverse action, only the minimum amount of evidence necessary from the record will be used—preferably from documentary evidence and testimony for which consent to release was obtained. IG opinions, conclusions, and recommendations are not evidence and will not be used as a basis for adverse action.

3-4. Request for IG records

Requests for IG records must be in writing and submitted for action to the Records Release Office, HQDA (ATTN: SAIG-ZXR), 2511 Jefferson Davis Highway, Arlington, VA 22202-3912.

3-5. Release authority for IG records

- a. Only TIG, DTIG, or their designated representatives (Legal Advisor and Deputy Legal Advisor) can approve the release of IG records outside IG channels except as set forth in paragraphs 3-6b (1) and 3-6b (2).
- b. Release of IG records will only be made after case closure. The Inspector General grants access to IG records under the following two separate records-release categories and subject to the provisions stipulated below:
 - (1) Official Use of Inspector General Records within Department of the Army.
 - (2) Release of Inspector General Records outside Department of the Army.

3-6. Official use of inspector general records within Department of the Army

- a. TIG, DTIG, the legal advisor, and the deputy legal advisor may release applicable portions of IG records to individuals, commands, or agencies within DA having a need for these records in the official performance of their duties as a release “For Official Use Only” (FOUO). Requests for an “Official Use” release within DA must be in writing and reasonably identify the IG records sought (that is, name of the complainant/subject, date of the investigation, where the IG investigation was conducted, and so forth). The request must also state the specific purpose or intended use of the IG records. Persons and agencies within DA may obtain IG records for official use by providing their local detailed IG, or the IG office of record, a written request that states clearly the reason they need the IG records. These requests will be forwarded to the Records Release Office (ATTN: SAIG-ZXR), 2511 Jefferson Davis Highway, Arlington, VA 22202-3912, in the format prescribed in paragraph 3-7a (1). The IG will retain written notations concerning the release and its justification with the record-file copy of the case. The following restrictions apply to all IG records requested for official use by individuals, commands, or agencies within DA and will be stated in a transmittal letter to the DA recipient.
 - (1) TIG or DTIG must approve releases “For Official Use Only” in support of an adverse action (see glossary) as outlined in paragraph 3-3.
 - (2) IG records will not be reproduced or further disseminated without specific permission of TIG, who may provide permission in the transmittal letter if appropriate.
 - (3) Use or attachment of IG records as exhibits or enclosures to records of other DA offices or agencies is not authorized without written approval of TIG.
 - (4) Commanders at any level will not use IG records to compare commands or commanders.
 - (5) Rating officials and supervisors may not cite inspection findings, inquiry results, or other IG information in an evaluation report, performance appraisal, or other evaluation that is maintained in official personnel records and either is or will become an adverse action (see glossary). MACOMs may request to use IG inspection results for adverse action from inspections conducted by DAIG's Information Assurance, Intelligence Oversight, and Technical Inspections Divisions.
 - (6) IG records provided to DA recipients will be returned to the Records Release Office (ATTN: SAIG-ZXR), 2511 Jefferson Davis Highway, Arlington, Virginia 22202-3912, when the records have served the requested purpose. These

records are only on loan to the recipient and remain under TIG's control. Recipients of IG records are not to incorporate them into a system of records subject to the Privacy Act because the recipient's system of records may not be subject to the same Privacy Act exemptions as the IG system of records.

- (7) The requesting agency must be designated in the "Routine Uses" section of the IG's system of records notice in the Federal Register to receive the records without the consent of individuals mentioned in the IG records. The term "routine use" means that the requesting agency will use the record for the stated purpose. The release of IG records for "Routine Uses" is strictly discretionary.

b. As limited exceptions to subparagraph a above, primary IGs may release IG records FOUO as follows:

- (1) *Release of an ROI or ROLI to the directing authority for informational purposes only and not for adverse action.* For the use of a ROI or ROLI for adverse action, see paragraph 3–3. An IG ROI contains privileged and sensitive information. IGs will strictly control ROIs and ROLIs when provided for official use. Review of IG reports will be restricted to the absolute minimum number of people with a strict need to review the report in the performance of official Army duties in order to make a recommendation and decision for appropriate action. Generally, persons who are only responsible for implementing a decision based on an IG report do not need to review the report.
- (2) *Release of an IG inspection report to the directing authority **and to other Army agencies and commands as required.*** Once the IG releases the report to the commander, the commander may in turn release the **redacted** report to members of his or her own staff and/or command **or to other Army commands or agencies as necessary.**
- (3) *Release of IG records or information to DA investigators.* DA investigators include personnel such as investigating officers, report of survey officers, CID investigators, MP investigators, and similar investigators performing law enforcement or other investigations under Army regulations and outside IG channels beyond the limitations outlined in subparagraph a above. These personnel are entitled to IG information described below when that information is relevant to an authorized investigation. They will not be provided additional information without approval of TIG or a higher authority.
 - (a) An IG may brief the investigator on the nature of the allegations or matters the IG office examined while being careful not to be judgmental about the allegations or to reveal any IG findings, opinions, conclusions, or recommendations.
 - (b) An IG may release documentary evidence that is readily available to any DA investigator and that the IG did not receive in confidence. This evidence includes finance and personnel records, travel vouchers, motel and restaurant receipts, and so forth. "Readily available" includes documents that would be readily available from the source but have been lost, destroyed, retired, or altered after the IG obtained them.
 - (c) An IG may identify by name those witnesses who have information relevant to the investigation and explain how they are relevant with a brief oral synopsis of their testimony. Where possible, the IG will not reveal which witness is the complainant (see para 1–12). Written statements, transcripts, and recorded tapes taken by the IG will not be released.
- (4) **Unless otherwise stated, IGs may share with their commands DAIG inspection reports posted to the IGMET Web page if local commanders and proponents have a valid interest. The IGs will limit distribution of these reports using the FOUO classification.**

c. Other examples of FOUO releases to DA entities that DAIG's Legal Advisor may approve include—

(1) IG records requested by a board in relation to an appeal of an adverse administrative action, evaluation report, or petition for correction of records where no due-process right of access exists.

(2) Release of IG records or information to DA investigators. DA Investigators include investigating officers, report of survey officers, CID investigators, and MP investigators performing law enforcement or other investigations under Army regulations and outside IG channels beyond the limitations outlined in subparagraph *a* above. If the investigator intends to incorporate or refer to the IG record in the investigation results, or the record requested contains a substantiated allegation, TIG or DTIG approval is required for release.

(3) Requests for IG records by Government representatives in support of a judicial proceeding. The request must be in writing and sent to the Records Release Office (SAIG-ZXR). The request must reasonably describe the records sought. Release of IG records to the Government representative is for review only. The representative will not reproduce or disseminate the records without written consent of TIG or DTIG. Should the IG records become the subject of Discovery, procedures set forth in paragraph 3-7a (1) apply. The Records Release Office may release responsive records in the IG file, to include those originating from other offices, upon request from the Government representative in litigation where the United States is the defendant.

(4) Requests for records from the General Officer Management Office (GOMO) acting as the agent of the Army Chief of Staff and Vice Chief of Staff in general officer assignment, promotion, and other personnel matters.

3-7. Release of inspector general records outside Department of the Army

a. General. Release and use of IG records outside DA can be for official or unofficial purposes.

(1) *Requests for nonofficial use.*

(a) *Freedom of Information Act (FOIA) and Privacy Act (PA) requests for release of IG records.* The Freedom of Information Act (FOIA) is a statutory right of access to Federal Government information. The Government's policy is to disclose requested records unless exempt or excluded in the statute (Section 552, title 5, United States Code). The Privacy Act (PA) of 1974 (5 USC 552a) is a code of fair information practices that regulates the collection, maintenance, use, and dissemination of personal information by Federal Government agencies. TIG is the initial denial authority, and the legal advisor and the deputy legal advisor are the designated representatives for records requested under the FOIA. TIG may delegate release authority to other personnel in the Records Release Office on a by-name basis based upon a review of their qualifications and duty assignment. TIG is the access and amendment refusal authority for records requested under the PA for IG records. Procedures for requesting records and processing requests are as follows:

(1) Requests must be in writing and reasonably identify the IG records sought. When possible, IGs should assist requesters in identifying the specific information they are seeking, thereby limiting the volume of records copied and processed for release.

(2) Requests for IG records under the FOIA must comply with AR 25-55.

(3) Requests for records under the PA, which will also be processed as a FOIA request, must comply with AR 340-21.

(4) The IG will promptly notify the requester in writing that the IG has received the request and referred it to TIG for direct reply to the requester.

(5) Forward the original request within 10 working days to the Records Release Office, HQDA (ATTN: SAIG-ZXR), 2511 Jefferson Davis

Highway, Arlington, VA 22202–3912, with the responsive records using one of the following formats:

(a) If the responsive record is 30 pages or less, fax one copy to SAIG-ZXR (commercial 703-607-5865, DSN 327-5865), or scan the file and send it by email. Contact DAIG's Records Release Office (SAIG-ZXR) at 703-601-1093 for the correct email address.

(b) If the responsive record exceeds 30 pages, send one copy of the record preferably by mail, commercial courier, or a similar method that will ensure three-day delivery.

(c) All records forwarded must be legible, single-sided, and straight.

(d) In its forwarding memorandum, the IG office of origin will state the date that the office received the request. The memorandum will include any specific local concerns or recommendations about the request and a list of witnesses who did not consent to release of their testimony.

The memorandum will also identify by name the source (that is, complainant, subject, or witness) of each non-IG work-product forwarded by the IG office. The IG office of origin will promptly notify the requester in writing that the IG has received the request and that the IG has referred it to DAIG's Records Release Office, HQDA (ATTN: SAIG-ZXR), 2511 Jefferson Davis Highway, Arlington, VA 22202 (commercial 703-601-1093, DSN 329-1093). Telephone coordination with SAIG-ZXR is encouraged—especially before copying and forwarding voluminous exhibits to a requested record.

(6) IGs will grant expedited processing of the FOIA request to a requester when a compelling need for the information exists. Compelling need is described as follows:

(a) Failure to obtain the records on an expedited basis could reasonably pose an imminent threat to the life or physical safety of an individual.

(b) Representatives of the news media who are primarily engaged in disseminating information to inform the public concerning actual or alleged Federal Government activity urgently need the information. Urgently needed information means that the value of such information will be lost if not disseminated quickly (for example, a breaking news story of general public interest).

(c) Imminent loss of substantial due-process rights.

(d) Humanitarian needs to promote the welfare and interests of mankind.

(b) *Requests for IG records by a member of Congress.* IGs will treat requests for copies of IG records by a member of Congress (MC), on his or her own behalf or on the behalf of a constituent, as a request for records under the FOIA or the Privacy Act as appropriate. (See para 3-7a (1) above.)

(c) *Release of IG witness statements.* Individuals who have provided statements must submit a Freedom of Information Act (FOIA) request to the IG office of record to obtain a copy of their own testimony. Upon receipt of the written FOIA request, the IG office of record must forward for action in the format prescribed in paragraph 3-7a (1).

(d) As a limited exception to (1) above, IGs may release information extracted from IG records to respond to requests for assistance, advice, or information; answer complaints; and prepare closure letters. IGs may use personal information in such responses only when the individual to whom the information pertains has given written consent to its use. See AR 340–21, paragraph 3–3, for examples of personal information that IGs may release under FOIA. IGs will consult DAIG's Records Release Office or the command legal advisor when they are uncertain whether the use of

personal information will cause either an unwarranted invasion of privacy or a breach of IG confidentiality.

- (2) Requests from outside DA for IG records for official use.** After telephonic coordination for action, forward these requests and the responsive records in the format outlined in subparagraph a (1) (a) above to DAIG's Records Release Office, HQDA (ATTN: SAIG-ZXR), 2511 Jefferson Davis Highway, Arlington, VA 22202-3912.

(a) *Use of IG records to respond to requests for information from the White House and Congress while acting as a body (or through its committees, joint committees, or subcommittees of either).* Information may be released by the Records Release Office (SAIG-ZXR) in accordance with AR 340-21 and AR 1-20 under FOIA, 5 USC 552, DODD 5400.7-R, and AR 25-55. Before release, the Chief of Legislative Liaison (1600 Army Pentagon, Washington, DC 20310-1600, or the White House Liaison Office (ATTN: DAEC-CA (OSA-WHLO)), 100 Army Pentagon, Washington, DC 20310-0100 as appropriate) will be informed of the action contemplated. Replies will be fully responsive but limited to the immediate scope of the inquiry. No congressional request may be fully denied without prior approval of the SA. If the directing authority believes that the requested information should not be released, the request, with all relevant information and the directing authority's recommendations, will be forwarded to HQDA (ATTN: SAIG-ZXR), 2511 Jefferson Davis Highway, Arlington, VA 22202-3912. Requests for copies of IG records by a member of Congress (MC), on **his or her** own behalf or on the behalf of a constituent, will be treated as a request for records under the FOIA or the Privacy Act as appropriate. (See para 3-7a (1) (b).)

- (b) Use of IG records for review by investigative personnel outside of DA.** Investigative personnel from IG, DOD; **Office of Personnel Management**; GAO; OSC; or the Merit Systems Protection Board (MSPB) **may** review IG records in the IG office having possession of records relevant to an ongoing agency investigation or audit. Requests from these agencies for copies of IG records must be submitted in writing and state the reason a copy is required. Forward such **requests in the format prescribed in subparagraph a (1) (a) above** to DAIG's Records Release Office, HQDA (ATTN: SAIG-ZXR), 2511 Jefferson Davis Highway, Arlington, VA 22202-3912. **If the investigator intends to include or refer to the IG record in the investigative report, or the requested record contains a substantiated allegation, TIG or DTIG approval is required. Under 5 USC, section 3, and DODD 5106.1, DOD IG cannot be denied access to information.**

- (c) Release of Information with DOD Hotline Referral Cases.** When DAIG receives case referrals from the DOD Hotline Program, DAIG must "[e]nsure necessary controls are in place to provide maximum protection for the identity of the hotline users" (para 6.2.4, DODI 7050.7). Paragraph 3-7a (1) (d) of this regulation governs the release of information from these referrals in order to respond to the complainant's concern.

- (d) Subpoenas and similar court orders.** The Judge Advocate General (DAJA-LT) is the proponent for all aspects of litigation involving DA personnel. (See AR 27-40 for specific guidance; appendix C of AR 27-40 contains information on litigation extracted from DODD 5405.2.)

(1) DOD policy is that official information should generally be made reasonably available for use in Federal and State courts and by other governmental bodies. The **only** exception **concerns** information **that** is classified, privileged, or otherwise protected from public disclosure. IG records are, however, the property of the SA. Thus, IG personnel may not disclose any official information from IG files or any information acquired during the performance of IG duties without TIG's prior written approval.

- (2) When an IG receives a subpoena, court order, or request for attendance at a judicial or quasi-judicial proceeding or a request for an interview that the IG reasonably believes is related to actual or potential litigation, and the information sought is from DA files or is known to the IG as a result of official duties, the IG should immediately notify the local Staff Judge Advocate (SJA) and the IG Legal Advisor **within 48 hours**. A subpoena must never be ignored.
 - (3) IGs should inform the individual seeking the information that—
 - (a) Requesters must set forth, in writing and with specificity, the nature and relevance of the official information sought.
 - (b) Only TIG or a higher authority within DA or DOD may authorize the release of IG records. IGs should refer requesters to part 97, title 32, of the Code of Federal Regulations (32 CFR 97) for detailed instructions.
 - (4) If a response to a subpoena or court order is required before TIG authorizes release, the IG will advise the official seeking the release of DOD, DA, and TIG policy; inform the requesting official that the request is being reviewed expeditiously; and seek a stay of the subpoena or order pending a final determination.
 - (5) If a court of competent jurisdiction or other appropriate authority declines to stay the effect of the order or subpoena, the IG should notify the local SJA and DAIG's Legal Advisor immediately. In those rare cases in which circumstances require a response before TIG acts, the IG should respectfully decline to comply with the subpoena or order. (See U.S. ex. rel. Touhy v. Ragen, 340 USC 462 (1951).) IGs may ordinarily expect judges to respect the military officer's dilemma of whether to comply with the orders of a superior military authority of the executive branch not to release until authorized or with subpoenas and other court orders of the judicial branch.
- b. *Requests for IG records **for discovery in a judicial proceeding**.* Requests for IG records by an accused and defense counsel through Government counsel, **or by government counsel, intended for disclosure as part of a judicial proceeding**, are Discovery requests. Discovery is the disclosure of relevant information between opposing counsel before and during litigation. The following procedures apply:
- (1) Defense Discovery requests for IG records must be in writing and submitted to the Government representative in the case.
 - (2) The Government representative will forward the request to the Records Release Office (SAIG-ZXR) for action. SAIG-ZXR will release requested IG records to the Government representative for **a determination of** relevancy.
 - (3) The Government representative will review the IG records to determine which portion(s), if any, of the IG records are relevant to the case. If the Government representative determines that the IG records are relevant to the case, the Government representative will submit a written request to SAIG-ZXR for release of relevant portions of IG records to the Government counsel and defense counsel.
 - (4) SAIG-ZXR will redact non-relevant information and information exempt under FOIA and PA from requested IG records. SAIG-ZXR will forward the redacted records to the Government representative. The Government representative is authorized to release the redacted records to the defense counsel before any hearing in response to the Discovery request.
 - (5) If the Government representative determines that the IG records requested by the defense counsel are not relevant to the case, the Government counsel must assert the IG privilege to bar disclosure of the IG records in order to protect the identity and privacy interests of the alleged wrongdoer and witnesses.
 - (6) If the defense counsel objects to the "not relevant" determination made by the Government representative or limited discovery provided through release of

the redacted copy, the Government representative can request an "in-camera" review by the presiding judge.

- (7) In the event the presiding judge orders the release of the IG records (in their entirety and unredacted), the Government representative must obtain a "protective order" from the judge to prevent the accused or the defense counsel from making further dissemination of the IG records.
- (8) Release of IG records must occur only after an "in camera" review is completed, a relevancy determination made, and an appropriate protective order issued by the judge.
- (9) The accused or defense counsels may submit a FOIA request for records beyond those provided under the Discovery process. IG records will not be made available to individuals or their counsel for use in administrative actions, military justice actions, or appeals unless TIG determines that the individual has a right of access under minimum due process because the IG records are the basis for the action taken against the individual.
- (10) IGs will process under FOIA other requests for IG records by counsel, the accused, appellants, and respondents for the purpose of appealing an administrative action. (See para a (1) (a) above.)**

c. *Requests by labor organizations.* Section 7114(b) (4), title 5, U.S.C. (5 USC 7114(b)(4)), requires agencies to furnish labor organizations with information related to collective bargaining. This right of access includes IG records that meet the criteria listed in the statute. **IGs will send requests for IG records by labor organizations through the servicing legal office in order to obtain an opinion as to whether the request is covered by the collective bargaining agreement. IGs will forward the request, a copy of the requested records, the written opinion of the labor law attorney, and a copy of the collective bargaining agreement to DAIG's Records Release Office in the format prescribed in subparagraph a (1) (a) above. Advance telephonic coordination with the Records Release Office will prove helpful.** This statutory right to agency information is in addition to access rights under the FOIA. IG records that do not pertain to subjects within the scope of collective bargaining will not be released under 5 USC 7114(b)(4) but will be processed under the FOIA.

d. *Use of IG records to respond to requests from the media.* IGs are not authorized to discuss specific inspections, assistance cases, inquiries, or investigations with media representatives. IGs will refer media inquiries to the local public affairs officer (PAO). IGs will neither confirm nor deny that a specific subject or topic is or has been under investigation or inquiry. There is no prohibition against an IG discussing the general functioning of the IG System or the general and functional aspects of the positions after coordination with the local PAO. IGs will not answer questions concerning hypothetical situations that might occur in performing their duties. Requests for IG records from media representatives should be processed under FOIA. (See para 3-7a (1) (a) above.)

3-8. Amendment of inspector general records

a. Persons should direct requests for the amendment of IG records to—

- (1) The authority that directed the record be made (for example, the directing authority of an ROI) when the request concerns a factual portion of the IG record. (See *b* below.)
- (2) TIG or **DTIG** when the request concerns matters of IG opinion, judgment, or conclusions in the record **for cases in which DAIG is the office of record.** (See *c* below.)
- (3) The command's IG when the request concerns matters of IG opinion, judgment, or conclusions in the record of a case for which that office is the office of record.**

b. Requests to amend factual portions of agency records are made under the provisions of the PA, 5 USC 552a (f)(4), and AR 340-21.

- (1) Officials receiving requests for amendments of IG records will follow the procedures in AR 340–21.
 - (2) Officials may amend personal information on individuals contained in the record provided the request is adequately supported by documentary evidence. This amendment authority is limited to those portions of the record containing facts (for example, the spelling of a name). It does not include authority to amend those portions containing opinions, judgments, or conclusions.
 - (3) Amendment requests for which the directing authority recommends denial must be supported by memoranda and forwarded to HQDA (ATTN: SAIG–ZXR), 2511 Jefferson Davis Highway, Arlington, VA 22202–3912.
 - (4) As the Access and Amendment Refusal Authority designated in AR 340–21, TIG is the first official who may deny requests to amend IG records.
- c. All requests for amendment of IG records concerning matters of opinion, judgment, or conclusion will be forwarded to the Records Release Office for referral to the appropriate Division within DAIG for review prior to action by TIG **or DTIG**. Included will be **one copy** of the record to which the amendment is sought; any documents in support of or related to the disputed record; acknowledgement to the requester; and recommendations, with supporting rationale, concerning whether the amendment should be granted or refused. Requests for amendments concerning opinion, judgment, or conclusion will only be granted upon a showing of fraud, mistake of law, mathematical miscalculation, or newly discovered evidence.

3-9. Records maintenance period

IGs maintain IG records in accordance with AR 25-400-2, The Army Records Management Information System (ARIMS), and additional guidance furnished by DAIG's Information Resource Management Division (IRMD).

Chapter 4

The Inspector General Action Process

Army leaders commonly use established problem-solving techniques when faced with issues presented by soldiers, family members, or civilians. IGs are also in the business of problem solving and have developed a **seven-step** problem-solving process **to resolve issues and allegations**. This chapter prescribes the **Inspector General Action Process (IGAP)** that IGs will use to resolve Inspector General Action Requests (IGARs). IGs will implement the policies and procedures in this chapter in conjunction with doctrinal guidance **set forth by TIGS**.

4-1. Receiving and resolving requests from complainants

IGs will use the Inspector General Action Process (IGAP) outlined below in receiving and resolving IGARs. The IGAP provides a systematic fact-finding approach to problem solving. Specific actions or components of the IGAP are integral to the whole process and are not intended as individual steps accomplished independently during the process. The process does not require a dogmatic, sequential application of each step for every case, but using this process allows the IG to accomplish all critical tasks in resolving complaints.

4-2. Step 1: Receive an Inspector General Action Request (IGAR)

- a. *DA Form 1559*. The IG **or complainant** will complete DA Form 1559, Inspector General Action Request, for all requests for assistance presented to an IG.
- b. *Complainants*. Anyone may submit a complaint, allegation, or request for information or assistance to any Army IG concerning matters of Army interest. (See glossary for definition of a complainant.) When practical, soldiers and civilian employees will be afforded the opportunity to present complaints, allegations, or requests for assistance in person to an IG. An IG receiving an IGAR is acting for the commander. An IG receives an IGAR when it is given, presented, or referred to that IG either directly (for example, by the complainant) or indirectly (for example, by someone else on behalf of the complainant). The IGAR may be received via any means (for example, in writing, by telephone, by telephone facsimile (fax), via e-mail, in person **or by personal observation, via the Web**, and so forth) and may originate from any source (for example, soldiers, family members, commanders, staff officers, other IGs, Congress, and so forth) regarding any matter of concern (for example, an allegation, issue, complaint, request for assistance/information, and so forth) for which the complainant requests IG action. In many cases, protecting the confidentiality of the complainant is essential. The IG must ensure that the commander understands the concept of confidentiality as used in IG actions. (See para 1–12.) Permanent notices, as shown in figures 4–1 and 4–2, will be posted on bulletin boards at Army activities. The commander or a designated representative will sign these notices.
- c. *Command policy*. The IG will encourage the soldier or civilian employee to discuss first any complaints, allegations, or requests for assistance with the commander, chain of command, or supervisor as provided in AR 600–20. If a complainant does not wish to do so, the IG will accept the IGAR unless specific redress procedures are available. (See para 4–4j.) **The IG should always reinforce the chain of command and be careful not to undermine it inadvertently by simply accepting an IGAR without first asking if the complainant notified the chain of command.** IGs will direct civilian employees to the appropriate avenue of redress, and IGs will limit their involvement to a due-process **review**. (See para 4–4k.) An IG receiving an allegation, however, will open an IGARS case file even if the IG's action is to refer immediately that case to the appropriate commander, another agency, **or another IG**. The IG will monitor the command's actions and document that action in the IGARS database. **For allegations of impropriety, the resulting product from the referral (such as an AR 15-6 investigation or commander's inquiry report) will serve as the primary piece of evidence considered by the IG in order to close the case in IGARS and to notify the subject or suspect as required. Reports of Investigation (ROIs) that use a command**

product as the central piece of evidence to resolve the allegation in the IG system are usually no more than a one- to two-page document outlining the essential information relevant to the case. The information contained in this abbreviated ROI will provide the basis for closing the case in IGARS.

d. *Time limit.* Complainants must present their issues to an IG in a timely manner in order for the IG to resolve them effectively. An IG is not required to look into a complaint if the complainant has failed to present the matter to an IG within one year of learning of an alleged problem or wrongdoing or if more than three years have elapsed since the date of the problem or wrongdoing. MACOM IGs and DAIG may accept and refer complaints submitted between three and five years after the alleged wrongdoing where extraordinary circumstances justify the complainant's delay in reporting the allegation or issue—or in cases of special Army interest. MACOM IGs may also approve for action complaints received by subordinate IG offices that occurred between three and five years after the alleged wrongdoing and where extraordinary circumstances exist. MACOM IGs—and DAIG—will serve as the office of record when referring such cases to a lower-level IG. TIG is the final authority for complaints beyond five years. This time limit does not invest IGs with the authority to decline a referral from IG, DOD, or a MC; in addition, the time limit does not apply to the requirement to report allegations against senior officials in accordance with paragraphs 1–4b (5)(d) and 1–4c (4).

e. *Walk-in complaints.*

- (1) IGs will interview the complainant or initiator; the key to successful interviewing is to establish rapport and listen actively. **Additional information on useful interviewing techniques is available from TIGS.**
- (2) IGs should screen walk-in complainants in a semiprivate area and move them to a private room for an interview. **The IG will not dismiss complaints that may appear insignificant because fact-finding has not yet begun.**
- (3) IGs should ask the **complainant five basic questions:**
 - (a) What do you want the IG to do for you? This question is the single most important one that an IG **will** ask when receiving complaints. It helps to focus the complainant and ensures that the matters of concern are of Army interest and appropriate for the IG.
 - (b) **Do you have any supporting documentation?**
 - (c) **Have you requested assistance from any other source or agency?**
 - (d) **Have you given your chain of command an opportunity to address the problem?**
 - (e) **What is your status?**
- (4) A complainant may submit an IGAR in any form (**for example**, by letter or telephone). However, use of a DA Form 1559 is the preferred method because it facilitates standardization and implementation of IGARS. The DA Form 1559 provides the complainant with Privacy Act (PA) information as well as the form's purpose. IGs may record case information in **word-processing programs** and transfer the information to the case file or directly into the electronic database and reports. The IG must inform the complainant of the PA and the purpose for the IGAR information. The individual must read the Privacy Act Statement at the top of the form to show that IGs have the authority to request personal information and that the release of the complainant's social security number, home address, and home telephone number is voluntary. Also, the complainant should read the statement concerning presenting false charges to an IG at the bottom of the page. (IGs **will** not place undue emphasis on the false-charge statement.)
- (5) IGs must determine if the individual submitting the IGAR sought assistance elsewhere to resolve the issue. **The IG will ask, "Have you given your chain of command an opportunity to address the problem?"** If the chain of command has initiated some action, determine whether sufficient time elapsed to resolve the matter. With that information **in hand**, determine if IG action is appropriate or advise the individual of future actions that he or she may need to take.

- (6) IGs will explain to the individual the inspector general policy on confidentiality (see para 1–12). If the individual requests anonymity, take appropriate action when preparing the case file. IGs protect, but will not guarantee, anonymity or confidentiality. Complainants' concerns about this concept are common. IGs will inform the complainant of the IG perspective on confidentiality and document the discussion in the case **notes**.
 - (7) The IG receiving the complaint will review DA Form 1559 for completeness while the complainant is present. If necessary, the IG may assist the individual in drafting the complaint.
 - (8) During the interview, the IG **will** avoid making promises or commitments. Instead, the IG **will** inform the complainant that the IG will look into the matter and, when appropriate, respond to the complainant. IGs will record their impressions of the complainant's understanding, attitude, apparent sincerity, credibility, and veracity in the case notes. This **information** will assist other IGs who may become involved with working the case. Because such notes are part of the file, they are not personal notes and may be releasable under the Freedom of Information Act (FOIA). **E-mail correspondence, whether sent over IGNET or not, are IG records that may also be releasable under the FOIA.** (See personal notes in glossary.)
 - (9) IGs will assign each case a unique combination originator code or case number **in accordance with local office procedures and the current version of the IGARS database. Contact DAIG's Information Resources Management Division (SAIG–IR) for further guidance.** This number, which is recorded on DA Form 1559, is the control mechanism for each IGAR. The IG will include in the case file all materials gathered to resolve the IGAR.
- f. Call-in complaints.* When in receipt of a telephonic IGAR, the IG will advise the complainant of the Privacy Act and the false-charge statement (knowingly untruthful statement) and record the request on DA Form 1559. The IG will indicate **"Telephonic"** in the signature block. IGs should require complainants to confirm allegations and complicated IGARs in writing and to submit other available information.
- Note.* Receipt of a telephonic allegation does not constitute acceptance. The allegation must be analyzed in accordance with the IGAP.
- g. Write-in complaints.* IGs may receive written complaints, allegations, or requests for assistance in a variety of ways. Several common forms of IGARs are—
- (1) *White House correspondence.* The Army White House Liaison Office refers requests from the President, Vice President, or their spouses to DAIG or to an Army Staff element. (See para 8–10a.)
 - (2) *Congressional correspondence.* Referrals from MCs include requests from constituents who may be soldiers, family members, or private citizens. The Army Office of the Chief of Legislative Liaison (OCLL) receives cases from MCs and refers them to either the Army Staff, the chain of command (Adjutant General (AG) congressional channels), or to DAIG. (See para 8–10a.)
 - (3) *The Secretary of Defense, SA, and CSA.* TIG may receive referrals from the Secretary of Defense (SECDEF); Secretary of the Army; Chief of Staff, Army; and the Executive Communications and Control Office of the Director of Army Staff. Consequently, Army Staff agencies and MACOMs are often asked for input and responses to these referrals.
 - (4) *DOD Hotline.* The Hotline Coordinator in DAIG's Assistance Division receives these cases from the IG, DOD, Hotline office. The coordinator refers DOD Hotline cases to field IG offices for appropriate action and reply in a specific format contained in DODD 7050.1, Defense Hotline Program. (See para 8–10b.)
 - (5) *Normal correspondence.* Letters written to the IG presenting an allegation, concern or request for assistance are known as normal correspondence. Enter "see attached" in the remarks section of the DA Form 1559 rather than transferring the contents of the correspondence onto the form.
 - (6) *Audio or video tapes.* A complainant may submit an IGAR using audio or video tape. Should the complainant **use either or both of these methods**, treat the tape as

normal correspondence. The tape will be transcribed to written form if necessary to work the case.

- (7) *Electronic mail.* Complainants may submit an IGAR electronically. Although electronic mail (e-mail) is in written form, IGs should treat IGARs sent by e-mail as a call-in complaint and ask the complainant to confirm the IGAR in writing whenever appropriate. Confirmation is important because the complainant may not be the originator of the e-mail. **When receiving an e-mail request for assistance, the IG will acknowledge receipt by sending a generic e-mail message only if the complainant did not provide a mailing address or telephone number. When acknowledging receipt by e-mail, the IG must use a generic subject line to ensure the complainant's confidentiality. The IG will never respond to the actual message but instead develop and send a new message to avoid sending confidential IG information back through an open, unsecure e-mail server.**

Note. Receipt of an e-mail allegation does not constitute acceptance. The allegation must be analyzed in accordance with the IGAP.

h. Other considerations.

- (1) *Anonymous complaints.* IGs will not ignore anonymous IGARs. **IGs will analyze all anonymous complaints for issues and allegations and then take action to resolve them to protect the interests of the Government.** When processing anonymous allegations and complaints, IGs will avoid identifying the complainant or creating the appearance of unduly trying to identify the complainant. The determination of the facts and circumstances related to the IGAR is the IG's primary concern. **If the IG does not have enough information to work the case, the IG will close the case and note that fact in the synopsis. Since the complaint is anonymous, the IG does not need to reply to the complainant even if the IG later learns the complainant's identity.**
- (2) *Habitual complainants.* Some complainants will repeatedly bring complaints to an IG. If a case has been closed, IGs will review any relevant material and determine if they should reopen the case. IGs will not automatically reject **habitual** complaints without impartially analyzing the correspondence for new matters.
- (3) *Third party letters.* Third party letters (for example, those sent by a parent or family member on behalf of a soldier) may be initiated on behalf of or without the knowledge of the complainant. The Privacy Act prohibits the release of personal information to third parties without consent (see AR 340–21, chap 3). The complainant's rights to privacy must not be violated. IGs will obtain a DA Form 7433 (Privacy Act Information Release Statement) authorization from the complainant prior to releasing personal information pertaining to the complainant. DA Form 7433 is available on **the Army Publishing Directorate (APD) Web site (www.apd.army.mil).** If the complainant is a soldier or civilian Government employee and a participant in alcohol or drug rehabilitation programs, refer to AR 600–85 for an example of the consent statements for release of information. IGs will ensure that the complainant's confidentiality and due-process rights are protected. **In general, IG responses to third parties are direct in nature and simply acknowledge receipt of the complaint or allegation. The reply contains no specific information about the complaint or what the IG has done with it. The IG must obtain a signed Privacy Act release authorization from the individual named in the complaint to release information to a third party. This individual is the only one who can authorize the release of information to a third party.**
- (4) *Withdrawn complaints.* At any point following receipt of a complaint, the complainant may ask to withdraw the IGAR. **Withdrawal of an IGAR** can occur during any phase of the IGAP but more typically occurs during fact-finding. The IG must determine whether to continue the case based on the best interests of the Army or the command. The permission of the complainant **is not** necessary to continue the case. However, IGs should determine why the complainant wants to withdraw the complaint. Possible reprisal, coercion, or duress are issues of concern appropriate for IGs. IGs will not suggest that a complainant withdraw a complaint. However, if

the complainant desires to do so, IGs will require a written request to document properly the withdrawal or annotate the request in case notes if the complainant declines to submit the withdrawal request in writing.

- (5) **Abusers of the IG system.** The IG must assume that each complaint received is legitimate and worthy of further inquiry. Complainants have the responsibility to present truthful information concerning allegations or other information. However, in situations where a complainant has a documented history of submitting baseless and unfounded issues and allegations, or has presented a pattern of complaints that are false, malicious, deceptive, and defamatory, the principal IG may require the complainant to present any and all subsequent matters in writing only via facsimile or mail. While not intended to discourage the submission of additional matters, this procedure will prompt the complainant to be deliberate, specific, and truthful. Before imposing this condition on a complainant, the IG must obtain the directing authority's approval and inform DAIG's Assistance Division. The IG will then notify the complainant of the requirement in writing, clearly state the reasons for the requirement, and provide the complainant with the IG's facsimile number and mailing address. The IG will include a copy of the notification in the case file; adhere to the IGAP by reviewing all additional submissions for new evidence, issues, and allegations; and annotate any actions taken in the case notes. The IG may also advise the directing authority that he or she may choose to resolve the complainant's numerous issues or allegations by other means.

4-3. Step 2: Conduct Inspector General Preliminary Analysis (IGPA)

- a. Inspector General Preliminary Analysis (IGPA) is a thought process used by IGs to determine how best to proceed (**contact TIGS for doctrine concerning assistance and investigations procedures**). IGPA may take a few moments, hours, or days. IGPA encompasses several of the inherent steps of the IGAP. This process helps clarify matters of concern, identify issues, formulate allegations, and initiate a plan of action. IGPA helps determine who should resolve the problem and how to solve it. IGPA is the beginning of the resolution process and may result in several courses of action for the IG. If the results of IGPA indicate that the IGAR received is appropriate for IG action, then the IG will accept the IGAR and open a case. IG action includes, but is not limited to, investigative action, an inspection, assistance, and/or a referral. IGs might also determine that they should refer the case to another IG or agency or recommend a follow-on investigation.
- b. IGs may refer complaints and requests for assistance for appropriate action to—
 - (1) The responsible Army leader, commander, or management official within the IG's command.
 - (2) Other Army IGs using IG **technical** channels.
 - (3) IG, DOD.
 - (4) IGs in other Services.
 - (5) DOD, Army, and nonmilitary agencies with purview over the matter of concern contained in the IGAR.

The IG office that receives the IGAR is normally the office of record unless that office requests that another IG office (higher, lower, or outside the command) accept the IGAR as the office of record. Only DAIG can direct other IG offices to become the office of record (see para 4-7d). In cases where another IG office refers an IGAR to a lower-echelon IG office for action but retains office-of-record status, the IG office acting on the IGAR becomes the office of inquiry. The office of inquiry must gather all pertinent facts and submit the completed case to the office of record for final disposition. In all cases, the office of record is responsible for making final determinations, closing the case, and making all final notifications.

- c. An IG is usually in IGPA until **he or she selects** a course of action for a particular issue or allegation; but, in the course of obtaining facts, additional issues may result in further IGPA concurrent with other IGAP procedures pertaining to the original IGAR.

4-4. Identifying issues and allegations and determining inspector general appropriateness

- a. *Type of IGAR.* IGs will analyze the information presented by the complainant and determine whether that information is a systemic issue, an allegation of impropriety against an individual **or an agency/unit within the command**, a request for help (assistance), or a combination of two or more of these elements. For example, a soldier who complains about not receiving pay is a request for help (**an issue**), but it could also be a systemic problem if trends indicate that the same problem may be pervasive throughout the organization. **Allegations identify a who as the violator of some standard; all other complaints fall into the category of an issue. For example, LTC Doe is identified as violating a particular standard. A complaint against an entire office or agency, however, remains an issue—even though the office or agency as a whole is alleged to have violated a standard. The IG must have the name of a person for the complaint to be an allegation.** IGs will determine the assistance requested and what issues or allegations the complainant presented. All requests for help and matters of concern must be identified, even if the complainant did not specifically mention them. The IG must contact the complainant to clarify the issues, allegations, or concerns. The IG may later refer the complainant to the chain of command or an appropriate staff agency for action. For example, the IG should encourage a soldier with a pay complaint who has not notified his or her chain of command or servicing Personnel Administration Center to do so. IGs will follow up referrals to ensure the complainant receives **the** appropriate assistance.
- b. *Analyzing allegations.* IGs will analyze each complaint or allegation of impropriety to determine the potential for embarrassment or adverse impact on their command (such as readiness, discipline, morale, efficiency, and so forth).
 - (1) With concurrence of the commander or directing authority, IGs will promptly notify the next higher IG of the allegation if a determination is made that the allegation would, if substantiated, adversely affect the public perception of the command. The next higher IG will determine which command should actually work the case and will review the completed action for thoroughness and impartiality. Normally, the next higher echelon IG will provide the final response to the complainant. Allegations within the meaning of this paragraph will vary. They may include matters such as allegations of impropriety against leaders within a command. Other allegations include areas in which the local or national media may have an interest; complaints of sexual harassment by supervisors; and reports of fraud, waste, and abuse. IGs should consult with their next higher IG **if sensitive cases of this nature arise.**
 - (2) IGs will send all referrals to DAIG's Assistance Division (**SAIG-AC**) except those concerning general officers, brigadier general selectees, and SESs (see chap 8).
- c. *Elements of an allegation.* IGs must analyze IGARs for any **and all** allegations of impropriety. IGs determine the issues and allegations, not the complainants. If the IG can format the information from the complainant into the following four elements of an allegation, then the IG **will** use the investigative process detailed in chapter 8 to resolve the IGAR.
 - (1) Who? — The complaint involves an individual rather than an organization **or group of people.**
 - (2) Improperly? — The subject or suspect is alleged to have committed an improper action. **Some standards include language that indicates the inherent wrongfulness of the action. For example, “dereliction of duty” already describes wrongful behavior without the addition of the word “improperly”. In these cases, IGs should not include the word “improperly” in the allegation. IGs should seek the assistance of their local JA or DAIG's Legal Advisor in formulating allegations if questions arise.**
 - (3) Did or did not do what? — The behavior described as improper.
 - (4) In violation of what standard? — The policy, regulation, or law allegedly violated.
- d. *The standards.* The standards allegedly violated usually fall into three categories:
 - (1) Non-punitive violations of regulatory guidance.
 - (2) Punitive violations of law (UCMJ, Federal, State, and local) and regulation.

- (3) Violations of established policy, SOPs, standards.
- e. *Perspectives.* IGs will always look for larger issues, systemic problems, implied allegations, and the condoning of wrongdoing. Chapter 8 contains a detailed discussion for formulating allegations.
- f. *Determine IG appropriateness.*
 - (1) The following issues and allegations are **ordinarily not appropriate** for IG intervention:
 - (a) Criminal allegations (see para 8–3b (1)).
 - (b) Issues that have other means of redress (see paras *j* and *k* below).
 - (2) If the appropriate redress procedures were used, IGs will advise complainants that IG involvement focuses on ensuring that the complainant received due process and the protection of rights as intended by law and regulation.
 - (3) When presented **with matters that are not IG appropriate**, IGs will advise complainants of the appropriate recipient **to resolve** the complaint and normally allow complainants to present their issues to that agency. IGs may elect to refer the issue to the appropriate agency on behalf of the complainant but must be mindful of confidentiality concerns. **After informing the complainant of the referral and obtaining the complainant's permission to release Privacy Act information to the referred agency, IGs will provide the necessary information to the agency and determine whether or not to monitor the action until completion.** For example, if an individual alleges criminal activity, IGs will consult with the local **MPI** or **USACIDC** investigative office. IGs will retain a copy of the original complaint and follow up on cases referred to other agencies. If the referred office does not accept the complaint, the IG may refer the allegation to another agency or to the chain of command for action. Chapter 8 contains further **guidance** on this topic.
- g. *The issue is not Army related.* In cases where the issues are clearly not Army related, the IG should not accept the IGAR and advise the individual to present the complaint to the appropriate agency.
- h. *Soldier EO complaints.* The EO advisor (under provisions of AR 600–20), the IG, or an investigating officer (appointed under AR 15–6) may address EO complaints made by soldiers. The manner in which EO complaints are addressed and who specifically addresses the complaint is a command decision. (NG personnel, see para 7–7b.) However, when an EO complaint is presented to an IG, the IG will normally refer the complainant to the supporting EO office for action. Should an EO complaint require IG action, the IG will use the IGAP rather than the EO process to resolve the case. When the complainant seeks redress for past alleged discriminatory practices that have become part of official Army records, the IG should advise the complainant to seek redress through appeals procedures provided by law or Army regulations pertaining to the particular adverse action. Examples include OER or NCOER appeals, courts-martial, and other actions listed below.
- i. *Hazardous work conditions.* IGs will advise requesters presenting complaints of hazardous work conditions (unsafe or unhealthy) to follow the procedures outlined in AR 385–10, **The Army Safety Program.**
- j. *Redress available to soldiers through other channels.*
 - (1) Many situations exist in which either law or regulation provides soldiers a remedy or means of redress. Soldiers must seek **and exhaust** the prescribed redress or remedy before an IG can provide assistance. Once the soldier has used the available redress procedures, IG action is limited to a review of the **redress process** to determine if the soldier was afforded the due process provided by law or regulation.
 - (2) Examples of situations where specific redress, remedy, or appeals procedures are applicable include, but are not limited to, the following:
 - (a) Courts-martial actions.
 - (b) Non-judicial punishment.
 - (c) Officer evaluation reports.
 - (d) NCO evaluation reports.
 - (e) Enlisted reductions.

- (f) Type of discharge received.
 - (g) Pending or requested discharge.
 - (h) Complaints that a commanding officer has wronged a soldier.
 - (i) Reports of survey.
 - (j) Relief for cause.
 - (k) Adverse information filed in personnel records (**except for allegations of reprisal**).
 - (l) Claims.
- k. *Redress available for Department of Defense civilian employees through other channels.*
- (1) Federal law and regulations and local collective bargaining agreements include procedures for processing grievances and appeals. Procedures are also included for processing equal employment opportunity (EEO) complaints made by civilian employees and NG military technicians pertaining to all aspects of their employment. Procedures prescribed by those publications, rather than IGAR procedures, should be used in processing these complaints. These complaints generally fall into the following four broad categories:
 - (a) Grievances within the purview of DOD 1400.25–M.
 - (b) Appeals of adverse actions within the purview of Sections 7701–7703, title 5, United States Code (5 USC 7701–7703).
 - (c) EEO complaints, including reprisals for protected EEO activity within the purview of Section 1614, title 29, Code of Federal Regulations (29 CFR 1614) and AR 690–600.
 - (d) Complaints of retaliation or reprisal within the purview of 5 USC 2301 and 5 USC 2302.
 - (2) A fifth category of civilian complaints that the IG may act upon involve matters that do not directly affect the employment situation or well-being of the individual. Examples include complaints or allegations against third parties and reports of alleged misconduct, mismanagement, or other matters requiring command attention.
 - (3) When a civilian employee makes a complaint, report, or allegation to an IG, the IG must analyze the matter to determine the category into which it falls. Although IGs do not normally handle the complaints listed in (1)(a) through (1)(d) above, they will provide assistance in referring the civilian employee to the appropriate avenue of redress. In making this determination, the IG should seek assistance from the supporting staff judge advocate or command counsel, the civilian personnel advisory center, or the EEO officer as appropriate. IGs may also consult appropriate ARs and public laws.
 - (a) If the action request is a grievance (DOD 1400.25–M) or appeal (5 USC 7701–7703), IGs will refer the employee to the local Civilian Personnel Advisory Center (CPAC) for information and assistance. IGs will advise the employee to use procedures provided by the governing regulation to obtain timely consideration and appropriate adjustment of the grievance or appeal. IG involvement in these cases should be limited to the due-process aspect and then only to ensure that the employee is allowed to present a grievance, receive an answer, and use the appeal process if necessary. If a local negotiated grievance procedure covers the matter, the IG will inform the employee that he or she must use the negotiated procedure.
 - (b) IGs will not accept EEO complaints. IGs will advise a civilian employee or third party who presents a complaint based on discrimination because of race, color, religion, sex, age, national origin, or handicap condition, or allegations of reprisal for protected EEO activity, to contact the EEO officer or an EEO counselor for information and assistance in processing the complaint.
 - (c) If **an appropriated fund** employee alleges retaliation or reprisal for the lawful disclosure of information that the employee reasonably believes **provides** evidence of a violation of any law, rule, or regulation; gross mismanagement; a gross waste of funds; an abuse of authority; or a substantial and specific danger to public health or safety, then the employee may present the allegation to—

Office of the Special Counsel, 1730 M Street, N.W., Suite 300, Washington, DC 20036–4505. **IGs may accept allegations of reprisal from** non-appropriated fund (NAF) employees **for forwarding** to IG, DOD.

- (d) If the action request pertains to matters other than those directly affecting the employment situation or well-being of the individual (that is, the complaint is not applicable to the categories listed above), the IG will employ the IGAR processing procedures described in this chapter.
- (4) The commander may determine that a complaint falling within the categories listed above, whether formally presented or only vaguely and informally articulated, contains allegations or other information that require inquiry or investigation. In these cases, the commander may direct an IG investigation or IG inquiry into those allegations while simultaneously processing the employee's complaint or grievance through appropriate channels. The IG investigation or IG inquiry must clearly be a separate action in which the IG is working for the commander and not the employee. The two actions must not be intermingled; neither action may interfere with nor delay completion of the other. Close coordination with the local CPAC and command legal office is essential.
- 1. Systemic issues.* IGs will always analyze individual issues for systemic problems. IGs should review the IGARS database to note trends that may indicate a need for a systematic examination of a particular issue, function, or Army system. Although IGs may refer complainants to other agencies, a large number of complaints recorded in the IGARS **database** for any particular issue does not preclude IGs from inspecting or inquiring into a systemic issue within their sphere of activity. Nevertheless, following up with complainants whom the IGs referred to other agencies is necessary to ensure—
 - (1) The complaint was addressed.
 - (2) The complainant was afforded due process.
 - (3) IG credibility.
 - (4) IG workload is documented.
 - (5) Trends **that suggest or signal the presence of** systemic issues are identified and addressed.

4-5. Opening the Case in IGARS

Once the IG has analyzed the IGAR for all issues and allegations and determined IG appropriateness for each item, he or she will open the case in the IGARS database. The IG must enter each issue and/or allegation separately, assigning the appropriate function code that best describes the issue/allegation. IGs will still open a case in the IGARS database even when providing information to someone or answering a brief question. The One Minute IGAR (OMI) function in the IGARS database was created to provide a shorthand method to record these IG actions. The OMI allows the use of only two possible function codes: 1A (Routine Requests for Information) and 1B (Request for Support IG to IG). If the IG must enter a function code other than 1A or 1B, then the IG must open a normal IGAR rather than the OMI.

4-6. Acknowledge receipt and select a course of action

- a. Proper acknowledgment of all IGARs.* IGs will acknowledge, verbally or in writing, individual complaints, allegations, or requests for assistance.
 - (1) IGs receiving a verbal IGAR may acknowledge it at that time **and follow up with a** written response to formalize the acknowledgment. The IG must make a record of the acknowledgment in the case file.
 - (2) IGs do not acknowledge anonymous complaints or requests for assistance. Members of Congress (MC) may refer anonymous letters on behalf of constituents. Although the constituent is anonymous to the IG and may be unknown to the MC, IGs will acknowledge receipt to the MC when appropriate.
 - (3) An individual may ask an IG for assistance and at the same time seek help from a Member of Congress. Once a MC intervenes, the complainant will not receive a response from the IG. Rather, the MC will receive the IG response from DAIG.

Therefore, IGs must inform the complainant that the response will come from the MC and not directly from the IG. The IG should respond to the complainant in writing and maintain a copy in the case files.

- (4) IGs will inform the complainant that the final response will contain only the information that directly and personally affects the complainant. When the initiator is not the complainant (**normally a third party**), the IG will explain to the initiator that the response is subject to the release of information by the complainant.
 - (5) IGs will provide an interim response to complainants when the final response will be **significantly delayed or when the requester submits additions to the IGAR that require additional time to process.**
 - (6) IGs will acknowledge IGARs referred by another IG. Cases referred from DAIG do not require an acknowledgment unless specifically directed.
 - (7) The IG is not required to acknowledge receipt of an information copy of a letter addressed to another agency.
 - (8) Command IGs and State IGs may receive allegations or complaints against subordinate commands (for example, a corps or MACOM receiving allegations or complaints about division-level activities). **When complaints of this nature arise, and referring the complaints or allegations of impropriety to an IG at a lower level for resolution is appropriate, the IG will inform the complainant.** Should the complainant express concern about this procedure, the IG will explain the established procedure for handling complaints. IGs will also explain that the purpose of the referral action is to allow the appropriate command the opportunity to identify and correct deficiencies within the command, thereby reinforcing the local chain of command's ability to correct problems once they are identified. If the complainant still objects, the IG will notify the complainant that the case will be resolved at an appropriate level in accordance with the IG process.
- b. Selection of courses of action.* After a determination that the matters of concern are proper for IG involvement, four generic courses of action are normally available: conduct an IG inspection; conduct an IG investigation or investigative inquiry; conduct an IG assistance inquiry; or refer **the matter to the chain of command or** another agency. IGs should determine the appropriate courses of action for each complaint, issue, and allegation determined in the IGAR. IGARs often contain several issues that result in more than one course of action. IGs will determine—
- (1) *If a systemic problem exists and warrants an IG inspection. If so, the IG will follow the guidelines outlined in chapter 6 for inspections. If an inspection is not appropriate, the IG may use the procedures outlined in chapter 7 for assistance or chapter 8 for investigations.*
 - (2) *Whether the complaint contains allegations of wrongdoing by an individual, an adverse condition, or issue.* If so, the IG will use the process outlined in chapter 8. Allegations against general officers or members of the Senior Executive Service require referral to DAIG's Investigations Division (see para 8–3i). Allegations against an IG require referral to the next higher echelon IG (see para 8–3h).
 - (3) *If the concerns are within the purview of the directing authority (see para 1–9a).* If an IG determines that a concern is outside of his or her authority, the IG **will refer the issue** to an IG of the appropriate organization or command agency.
 - (4) *If remaining issues require IG intervention.* Teach and train the complainant on the appropriate regulations and policy provisions and then close the case if necessary.

4-7. Step 3: Initiate referrals and make notifications

- a. Referral to the chain of command.* The chain of command (or supervisory chain) has the responsibility and the authority to address complaints. IGs will decide matters that are appropriate for the chain of command and then monitor the case after making the referral to ensure that the chain of command takes proper action. **IGs should refer to the chain of command allegations deemed appropriate for command action** while protecting the confidentiality of the source to the **maximum** extent possible. **IGs must seek to obtain the complainant's consent before referring any allegation to the chain of**

- command or other non-IG entity for resolution. Although a complainant's refusal to grant this permission does not preclude a referral, the IG should consider this refusal when deciding to refer the issue. The IG will obtain the complainant's permission to release the complainant's identity, if necessary, and any other Privacy Act data as part of the referral. The IG must obtain this consent, or lack thereof, in writing and annotate that fact in the case notes.
- b. *IGARs submitted by members of other Services.* Military personnel and family members of other Services may present complaints to any Army IG. If the IGAR concerns Army-related issues, IGs will process the IGAR as appropriate. If the IGAR contains issues that are appropriate for another Service, IGs will refer the issues to that Service IG **through DAIG's Assistance Division (SAIG-AC) and then** assist that Service IG as necessary.
- c. *Allegations against a senior NCO or an Army officer.* **IGs will report to TIG (ATTN: SAIG-AC) within 2 working days after receipt by confidential means any allegation presented to an Army IG against a MSG, 1SG, SGM, CSM, or any Army officer in the grade of major through colonel that resulted in the initiation of an IG investigation or investigative inquiry or a command-directed action such as an AR 15-6 investigation, commander's inquiry, USACIDC referral, or any other type of command-directed investigative procedure.** AR 600-8-29, Officer Promotions, requires a review of IG records in conjunction with senior officer promotion boards. Other IG records reviews are conducted at the direction of senior Army leaders. DAIG's Assistance Division is the proponent for post-selection-board review of IG records for other than general officers and members of the Senior Executive Service. The intent of these requirements is to ensure the selection of the best leaders and commanders, to consider information not available to the original board, and to protect the rights of individuals.
- d. *Referred issues.* **IGs refer through the appropriate channels issues deemed suitable for other activities and agencies.** When initiating referrals, IGs must protect confidentiality and comply with IG records-release policies.
- (1) **Referrals of allegations against IGs will be made in accordance with paragraph 8-3h.**
 - (2) Referrals of allegations against senior officials will be made in accordance with paragraph 8-3i.
 - (3) **Referrals of allegations that are primarily criminal in nature as outlined in AR 190-30, Military Police Investigations, Appendix B, and AR 195-2, Criminal Investigation Activities, Appendix B, will be made in accordance with paragraph 8-11a.**
 - (4) **Referrals to other IG offices may be based upon jurisdiction or other reasons. When possible, IGs will refer issues to other IG offices via the IGARS database. If the IGARS database is not available, the IG will use IGMET email, the U.S. Postal Service, or some other means of confidential transmittal. The receiving IG office must agree to accept the referred case. Only DAIG may directly task another IG office to work an issue or conduct an investigation. This tasking authority does not exist among IGs, regardless of echelon, below DAIG level. If a disagreement between two IG offices occurs with regard to a referral, DAIG's Assistance Division (SAIG-AC) will adjudicate. An IG office may refer matters of concern to another IG office in one of two ways: as an office of record or as an office of inquiry. If the referring office passes on office-of-record status, then the receiving office owns the case and will make all appropriate entries into IGARS, conduct all subsequent notifications as required, and then close the case in IGARS. If the referring office retains office-of-record status, then the receiving IG offices becomes the office of inquiry and must forward all fact-finding results to the Office of Record for case closure.**
- e. *Notification.* Notifications will occur as outlined below.
- (1) If IGs **perform an investigative** inquiry or an investigation, they will verbally notify the appropriate commanders or supervisors **prior to engaging in any fact-finding**

activities (Step 4 of the IGAP) and inform the subjects or suspects of the nature of the allegations prior to conducting subject/suspect interviews or requesting statements.

(2) If the IG refers the allegation to the command and the command elects to take appropriate action, the IG will notify the subject/suspect that the IG has received "derogatory information" about him or her, has referred the information to the command for appropriate action, and will provide final notification upon completion of all IG actions.

(3) The IG will record all notifications on DA Form 1559 and in the ROI/ROI.

4-8. Step 4: Conduct inspector general fact-finding

Fact-finding is the essence of what IGs do in fulfilling their role as an extension of the commander. Fact-finding involves the process of obtaining factual information while conducting the IG functions of inspections, assistance, and investigations to resolve the issues and allegations determined from an IGAR despite whether the IGAR is from a complainant or was a request from a commander. After the IG selects the appropriate course of action, one or more of the following informal or formal fact-finding processes ensues. The IG may—

- a. Conduct an IG inspection. For guidance on conducting an IG inspection, see chapter 6.
- b. Render IG assistance and conduct an IG assistance inquiry. For guidance on providing IG assistance, see chapter 7.
- c. Conduct an IG investigation or investigative inquiry. For guidance on conducting an IG investigation or investigative inquiry, see chapter 8.

4-9. Step 5: Make notifications of results

- a. At the completion of the inquiry or investigation, **and following a legal review of the completed report**, the IG must notify the subject/suspect of the results in writing.
- b. The IG will notify once again any intermediate commanders or individuals who were initially notified of the inquiry/investigation. If notifying any of the persons who were initially notified is inappropriate, the IG will notify a higher-level commander of the results. IGs will notify appropriate commanders of substantiated conclusions contained in their reports even if the commander was not initially notified of the investigative inquiry. The IG will record the results of all allegations in the IGARS database along with the IG's recommendations and the command's response to the recommendations if applicable. In all cases, the official IGARS office of record will conduct the final subject/suspect notification and record that fact on DA Form 1559.
- c. If the IG provided assistance, the IG will only provide to the complainant information directly pertaining to him or her regarding actions taken.
- d. The IG will also notify witnesses who provided sworn, recorded testimony

4-10. Step 6: Conduct follow-up

- a. Follow-up ensures that all issues have been thoroughly addressed and that the IG's responsibilities have been fulfilled, to include follow-up on any needed corrective actions. Corrective actions may not satisfy some complainants. The IG's primary concern is with ensuring that IG actions, command decisions, or proponent actions were completed. Follow-up should include a review of issues previously addressed to determine if further appeal procedures are available or if the IG should examine due process. IGs may personally conduct the follow-up or address the issue during a future inspection.
- b. If a problem is not resolved, the IG must determine the reason for it. Some problems cannot be resolved until a standard (that is, a law, regulation, or policy) is changed. The IG's case is not closed until all appropriate actions are completed.

4-11. Step 7: Close the Inspector General Action Request

Closing an IGAR consists of providing the complainant with a final reply, notifying the suspect/subject (see para 8–4b (7) for investigations and para 8–4c for investigative inquiries),

closing the file in the IGARS database, making the appropriate reports, and analyzing any developing trends. All IGARs will result in a final response to the complainant except for anonymous complaints. **The final response to the complainant will be in writing (handwritten is acceptable).** The IG will annotate the responses in the case file and the electronic **IGARS** database file. The complainants do not have a right to know the results of allegations that do not directly pertain to them. IGs may advise the complainant to request such information using FOIA procedures although IGs have no requirement to do so.

- a. DA Form 1559 serves **four** primary purposes. **It is the base-control document for the case file, it documents the IG's workload, it captures trends, and it identifies systemic issues.** IGs will enter IGAR information on completed cases into the IGARS database **in accordance with current IG doctrine and with the requirements of the database's current software. Contact DAIG (TIGS or SAIG-IR) for further guidance.** All IG offices **will** enter information into the **IGARS** database for case-management purposes **for all open cases referred to or by that office.** The assigned case number of the IG office of record will be used throughout this process.
- b. **Higher-echelon IG offices will identify key individuals by name within the office who will have permission to see a lower-echelon IG office's case data in the IGARS database for the purpose of trends analysis. The higher-echelon IG office may only see basic case data for open and closed cases and not the detailed information contained in each case. Basic case data includes case number, date opened or closed, status, case label name, name of the complainant, problem area, function code, and names of subjects/suspects. Further access may be requested through DAIG's Assistance Division (SAIG-AC) on a case-by-case basis.**
- c. Those IG offices not electronically connected with DAIG will forward all completed data to DAIG in accordance with guidance from DAIG's Information Resources Management Division (SAIG-IR).
- d. Complainants who are not satisfied with the response **may seek redress through the next higher command's IG.** Complainants may contact DAIG/IG, DOD, at anytime regarding requests for assistance, complaints, or allegations, but IGs should encourage them to seek redress initially through the IGs of lower-level headquarters.



Figure 4-1 (Page 1). Sample permanent notice memorandum of rights of soldiers to present complaints



Figure 4-1 (Page 2). Sample permanent notice memorandum of rights of soldiers to present complaints—Continued



Figure 4-2 (Page 1). Sample permanent notice memorandum of rights of civilians to present complaints



Figure 4-2 (Page 2). Sample permanent notice memorandum of rights of civilians to present complaints—Continued

Chapter 5

The Inspector General Teaching and Training Function

5-1. Inspector general training

Since the beginning of the Army IG System with Major General von Steuben in 1778, training has been an essential part of all IG activities. **But** IGs are no longer the primary trainers of soldiers—the principal role played by Major General von Steuben during the Revolution. **Instead**, IGs possess a reservoir of experience and knowledge that can assist commanders in achieving **and maintaining** disciplined and combat-ready units.

5-2. Teaching and training

IGs teach skills; provide information about Army systems, processes, and procedures; and assess attitudes while assisting, inspecting, and investigating. Through their example, IGs assist commanders in setting standards of behavior and appearance. IGs pass on lessons learned to enable others to benefit from past experience. The IG teaching and training function is an integral **and embedded** part of the other IG functions of inspecting, assisting, and investigating.

5-3. Training the Army at large

IGs have a responsibility to train non-IGs on how the IG System operates and on specific standards, responsibilities, processes, and systems related to non-IG activities.

- a. *IG System.* The effectiveness of the IG System is, to a great extent, a function of how receptive non-IGs are to the IG System. Therefore, IGs must teach leaders and their soldiers how IGs contribute to mission accomplishment and search for opportunities to inform them of the IG System's purpose, functions, methods, benefits, and constraints. IG involvement in pre-command courses, officer professional development programs, NCO development programs, newcomer briefings, and other activities helps to explain the IG System to the Army at large. Failure to explain the IG System to commanders and others may result in commanders misusing—or simply not using—their IGs.
- b. *Other matters.* While inspecting, assisting, or investigating, IGs contribute to improving the Army by teaching and training others in policy and procedures.
 - (1) During periods of organizational change and **high** operational pace, soldiers and their leaders may lack a complete understanding of required Army standards and procedures. Historically, IGs have trained soldiers and leaders on standards and procedures—a function that has changed little since the American Revolution.
 - (2) Since IGs are selected based on their experience, they possess valuable knowledge, experience, and insight that many non-IGs lack. An IG's knowledge of the Army increases through training, experience as an IG, and the extensive research that IG duties require. IGs gain a broad perspective on the Army that few other soldiers attain.
 - (3) IGs incorporate teaching and training into all aspects of their duties. When IGs notice that inspected personnel do not know regulatory requirements, they explain the requirements and the reason **those requirements** were established. Additionally, IGs pass on lessons learned and good ideas or benchmarks observed during other inspections.

5-4. The U.S. Army Inspector General School

The USAIGA's Training Division **serves as the core of the U.S. Army Inspector General School (TIGS) and** conducts a resident course for qualifying detailed and assistant IGs on IG standards, responsibilities, doctrine, and techniques.

- a. *Candidates.* Army candidates for this course must be selected and approved through the IG certification process (see para 2–3 and app C). Army administrative support personnel, acting IGs, and IGs from other Services may attend the resident course on a space-available basis.

- b. Graduates.* Graduates of **TIGS** are fully qualified to assume IG duties at the appropriate command level. However, these personnel **will** not master IG techniques until they have gained practical, on-the-job experience.
- c. Instructors.* **TIGS** instructors are normally experienced IGs **or JAs** who have served at DAIG or elsewhere in the IG System. **These instructors write and develop course materials; update policy; write, revise, and refine doctrinal publications; prepare exportable training packages; participate in mobile training teams; and develop distance learning capabilities to complement the resident course and facilitate sustainment training.**
- d. School curriculum.* **TIGS** provides comprehensive instruction and training on the IG role and the four basic IG functions. **The school also provides instruction on a myriad of other IG-related topics in both large- and small-group settings with embedded practical exercises designed to enhance the students' education of the IG System through hands-on application of the IG System's four functions and related doctrinal processes.**
- e. Requirements.*
 - (1) Graduation from **TIGS** is a requirement for all detailed and assistant IGs and for temporary assistant IGs serving longer than 180 days. All IGs, except for M-day and TPU soldiers, will graduate from the course before assuming their duties. M-day and TPU soldiers will attend and graduate from **TIGS** as soon as possible **following their appointment as** detailed or assistant IGs. Soldiers will not perform IG functions until completing the certification process except as specified in paragraph 2–2e. Soldiers **and civilians** who have previously served as an IG and are approved by TIG for a repetitive IG detail will attend **TIGS** unless the Chief of DAIG's Training Division (**also the school's commandant**) waives the requirement. **If a soldier or civilian returns to IG duty after a break in that duty, he or she must attend TIGS despite the duration of the break. Only the Chief, Training Division, may waive this requirement.** The Chief, Training Division, grants waivers on a case-by-case basis and considers such factors as previous IG experience; projected IG assignment; and recent changes in IG policy, procedures, and issues.
 - (2) The Chief of DAIG's Training Division determines requirements for graduation from **TIGS**. DTIG is delegated the authority to approve or disapprove the graduation of all **TIGS** students and the issuance of a certificate of training. **TIG serves as the appellate authority for students who fail to meet the school's graduation requirements as outlined in the TIGS academic program.**
- f. Requests for attendance.* **TIGS** will maintain a schedule of all classes forecast for a 12-month period. The Chief, Training Division, approves requests for quotas for these classes. Quota requests will be coordinated as follows:
 - (1) **Active Army.** IG offices or **USAHRC** submit requests for course quotas for Active Army soldiers and DA civilians to **TIGS** after the proper authority approves the IG's nomination. (See para 2–3.)
 - (2) **ARNGUS.** The State AG, or a designated representative of the AG, and the NGB will submit requests for course quotas for ARNGUS personnel directly to **TIGS** after the proper authority approves the IG's nomination. (See para 2–3.)
 - (3) **USAR. IG offices or USAHRC-St. Louis will submit requests for course quotas for USAR personnel directly to TIGS after the proper authority approves the IG's nomination.** (See para 2–3.)
- g. Funding.*
 - (1) Funding for attendance of detailed and assistant IGs at **TIGS** is provided through a variety of sources. **Coordinate for, and address questions pertaining to, funding for a specific student directly to TIGS when requesting a quota for the course. Individual commands will provide funding for acting IGs, temporary assistant IGs (except those serving longer than 180 days who must attend TIGS), and administrative support staff attending TIGS.**
 - (2) **DAIG provides training funds for the following students listed below who will attend TIGS on temporary duty (TDY) with return. If a commander requests to**

curtail an IG's detail, TIG may approve the request if the commander agrees to pay the training costs for the replacement IG.

(a) Active Army military and civilian IGs.

(b) ARNGUS IGs.

(3) The Army Reserve Active Duty Management Directorate (ARADMD-HRC) in HRC-St. Louis funds USAR AGR personnel who attend TIGS.

(4) The Army Reserve funds all nominated Troop Program Unit (TPU) personnel who attend TIGS.

h. Additional skill identifier/special qualifications identifiers. Award of the additional skill identifier (ASI) 5N to commissioned officers and the special qualifications identifier (SQI) B to noncommissioned officers is authorized upon successful graduation from TIGS. The IG's local military personnel office (MILPO) will award the official ASI 5N to officers and the SQI B to noncommissioned officers upon receipt of a course-completion letter prepared by TIGS.

5-5. Other IG School courses and training packages

a. State IG module. The NGB IG conducts a 2-day State IG module that supplements TIGS and is required training for all State IGs. NGB IG offers this training as an option for all other active Army personnel assigned as IGs in the ARNGUS.

b. Sustainment training. IGs serving past the normal three-year detail and beyond must re-qualify as IGs every 3 years by attending a TIGS sustainment-training course. This course will update serving IGs on current policy and doctrine. TIGS currently conducts two refresher courses annually. Each IG must pass the course's prescribed tests and evaluations to re-qualify as an IG. IGs who fail to re-qualify at a TIGS sustainment-training course will have one other opportunity to attend and successfully pass sustainment training before TIG de-certifies that IG. IGs serving beyond their three-year detail must enroll in a TIGS sustainment-training course within 4 months of the end of their detail (see para 5-5b). TIG will automatically de-certify any IG serving beyond 40 months who has not re-qualified at a TIGS sustainment training course; only TIG may make exceptions to this requirement due to sustainment-training availability or other factors beyond an IG's control. Make all requests for attendance directly to TIGS.

c. Exportable Training Packages. Exportable training packages on each IG function are available from TIGS and the school's Web site at http://tigu-online.ignet.army.mil/tigu_online/index.htm.

5-6. Training acting inspectors general, temporary assistant inspectors general, and administrative support staff

Limited resources and space prevent all categories of IGs from attending TIGS. Therefore, command and State IGs locally train acting IGs, temporary assistant IGs (with duty less than 180 days), and administrative support staff. Training for IGs must reflect current doctrine as promulgated through TIGS. TIGS creates and maintains exportable training packages for training IGs and makes these packages available on the school's Web site (see para 5-5c). These materials may be tailored to meet the needs of the local command.

a. Training for temporary assistant IGs. Training programs for temporary assistant IGs do not require TIGS approval to plan and execute. However, local IGs will train temporary assistant IGs, at a minimum, on the basic IG concept and system, the IG tenet of confidentiality, and restrictions on the use of IG records.

b. Other training. Command and State IGs may conduct short IG training courses necessary to sustain an understanding of new IG doctrine, procedures, or policies. TIGS can provide guidance, instructional materials, and references as necessary upon request. Current distance learning capabilities developed by TIGs may also prove helpful and will become available as the school develops them.

5-7. Technical inspector qualifications training

- a. Training program.* IGs assigned to conduct technical inspections will undergo the following two-phased training program:
 - (1) Phase I: **TIGS**.
 - (2) Phase II: An on-the-job training (OJT) program. The training program must—
 - (a) Thoroughly familiarize the inspector with current standardized policies and procedures of the technical inspection system.
 - (b) Provide newly assigned inspectors the opportunity to observe at least two technical inspections before conducting an inspection.
 - (c) Provide a means of updating the chemical surety systems training for inspectors.
- b. Exceptions.* Forward all requests for exceptions to the provisions of this paragraph to DAIG's Technical Inspections Division (SAIG–TI).

5-8. Other inspector general training

IG offices with subordinate command IGs should routinely sponsor training workshops to share ideas, clarify IG policy and doctrine, and receive guidance from higher headquarters IG offices about the senior commander's priorities, philosophy, etc. TIGS can assist with training materials and other resources as required. Higher-echelon IG offices should also conduct routine staff assistance visits (SAVs) of subordinate command IG offices as a way to mentor and assist those offices in their day-to-day responsibilities and activities.

Chapter 6

The Inspector General Inspections Function

Section I

Inspection Functions

6-1. Functional systems

- a. The Army is comprised of a variety of functional systems (training, logistics, maintenance, operations, force integration, personnel, etc.) that come together at various echelons of command in order to ensure that our commands and the units that comprise these commands are fully prepared to execute their wartime missions successfully. Commanders at all echelons constantly rely upon feedback from personal observation, field training exercises, command post exercises, physical training tests, Organizational Inspection Program (OIP) inspections, and other evaluations to assess the readiness of these functional systems within the context of the units they command in order to make an informed, subjective determination of their unit's overall mission readiness.
- b. FM 7-0, Training the Force, describes this assessment as a continuous process that serves as both the end and the beginning of the training management cycle. This assessment is part of each commander's broader Organizational Assessment Program (OAP) as outlined in chapter 6 of FM 7-0. IG inspections, which normally focus on larger problems associated with individual functional systems (known to IGs as systemic issues) contribute to the commander's OAP as one of many feedback sources that the commander considers when making an informed judgment about the readiness of the command.
- c. The IG inspections function is the process of conducting IG inspections, developing and implementing IG inspection programs, overseeing intelligence activities, and participating in the Organizational Inspection Program (OIP).

6-2. The role of the inspector general in the OIP

- a. IGs will develop **and execute** their IG inspections program as part of the OIP in accordance with the commander's guidance.
- b. AR 1-201 prescribes policy and responsibilities for the conduct of inspections in Army organizations. IGs have the following responsibilities with regard to the OIP:
 - (1) Advise commanders and their staffs on Army inspection policy.
 - (2) Advise the commander on the effectiveness of the OIP within the command **at all echelons**.
 - (3) Conduct IG inspections **as outlined** in AR 1-201 and this regulation.
 - (4) **Serve as the OIP coordinator at the commander's discretion.**
 - (5) **Organize and coordinate the commander's command inspection program if tasked by the commander.**
 - (6) **Spot-check company-level initial command inspections throughout the command.**
 - (7) **Conduct inspections training as requested by commanders and staff agencies.**
- c. Detailed instructions for preparing, executing, and completing IG inspections **appear** in paragraph 6-4. IGs will **consider** the IG inspections process **depicted** at figure 6-1 when planning, executing, and completing any IG inspection. **This process adheres to the five inspection principles outlined in AR 1-201 and ensures that IGs throughout the IG System consistently apply a methodical, thorough process when preparing, executing, and completing IG inspections. IGs may still tailor and compress inspections to meet the commander's needs while preserving the integrity of the IG inspections process across the Army. TIGS's The Inspections Guide contains detailed doctrinal procedures for executing the IG inspections process and is available from the school or the school's Web site at http://tigu-online.ignet.army.mil/tigu_online/index.htm.**

- d. IG technical inspections of organizations with nuclear and chemical missions are addressed in section II of this chapter.
- e. IG intelligence oversight inspections of intelligence **components and** activities are addressed in section III of this chapter.

6-3. Inspector general inspection policy

- a. IGs will **execute** a deliberate process to identify, evaluate, and set priorities for potential inspections to be included in the IG inspection program. A recommended IG selection process is outlined below.
 - (1) **IGs may use a variety of ways to identify possible topics for inspections.**
Commander's guidance, the mission essential task list (METL), IGAR trends analysis, input from subordinate commanders and functional staff proponents, quarterly training briefs, unit status reports, installation newspapers, IG observations, and the results of previous inspections are but a few possible sources. The goal is to develop a manageable number of key, high-payoff inspection topics that focus on potential systemic issues within the command, which the IG can assess in order to contribute directly to the command's overall readiness.
 - (2) **Systemic issues normally include functional systems such as personnel and logistics and tend to surface through a general pattern of non-compliance throughout the command at various echelons of command.** The problems are most likely beyond the ability of the local commanders to solve, so something may be wrong with the system. In other words, the system is like a pipe in which water is unable to flow due to numerous obstructions, or clogs, from within. The IG's job is to focus on those problem areas that are clogging the system and resulting in non-compliance difficulties throughout the command. These clogs in the system normally become the IG's inspection objectives after thorough research. The IG can determine the root causes of the clogs in the system and recommend solutions that, when implemented, will solve the problems and unclog the pipe. The system will then flow smoothly once again.
 - (3) **Once the IG identifies potential systemic issues within the command, the IG will develop a prioritized inspection list for the commander's approval.** The IG must screen these potential inspection topics for their impact on unit readiness, value to the command, and priority to the commander. Topics that do not meet these screening criteria should fall from the list.
 - (4) **The IG will present the final prioritized inspection list to the commander for approval.** Once the commander has approved the inspections, the IG will ensure that the inspections are reflected on the appropriate training and planning calendars as described in chapter 4 of FM 7-1, Battle Focused Training.
- b. **IG inspections may focus on either organizations, functional systems, or both. IGs can conduct three types of inspections: general, special, and follow-up.** Inspections that focus on organizations or units and are comprehensive in nature are considered general inspections. General inspections tend to be compliance-oriented and assume that the established standards against which the IG measures the organization are correct as written. Inspections that focus on functional systems (that is, systemic issues) are special inspections. The preferred focus for IG inspections is the special inspection since command and staff inspections are usually focused on organizations. Special IG inspections of systemic issues do not assume that the established standards are correct; instead, IGs consider the possibility that the problem with the system may be outdated or incorrectly written standards or policies. The payoff derived from systemic inspections has a broader, more widespread impact within the directing authority's organization. The final type of inspection, follow-up, assesses the implementation of solutions recommended by an approved IG inspection and is an important final step of an IG inspection.

- c. IG inspections will—
 - (1) Identify **patterns of** noncompliance, determine the magnitude of the deficiencies, and seek the root causes **of problem areas**.
 - (2) Pursue systemic issues.
 - (3) Teach systems, processes, and procedures.
 - (4) Identify responsibilities for corrective action.
 - (5) Spread innovative ideas.
 - (6) Train those inspected and, as appropriate, those conducting the inspection.
 - (7) **Make recommendations when appropriate.**
- d. **When scheduling IG inspections, follow the principles and procedures presented in FM 7-0.** The commander may decide to redirect the command's inspection effort. Unanticipated events may cause the commander to deviate from the published inspection plan by rescheduling planned inspections or initiating an unscheduled **special** inspection.
- e. IGs must tailor inspections to meet their commander's needs. Inspections must be relevant, reliable, and responsive. To be relevant, inspections must provide practical, accurate feedback in time for the commander and staff to make informed decisions. **To be reliable, the findings must accurately reflect what the IG found in the inspected units or activities. To be responsive, the IG should update the commander at least once during the inspection so that the commander may communicate emerging trends to subordinate commanders for early action if necessary. Inspection results go directly to the commander and then, based upon the commander's distribution guidance, to the staff, subordinate commanders, or other commands as appropriate. (See para 3-6b (2).)**
- f. **Problem areas** identified in an IG inspection will be subject to follow-up after a reasonable time for corrective action **and implementation. Follow-up may occur by a complete re-inspection of the topic or phone calls or personal visits to the individuals or staff agencies charged with implementing the inspection report's various solutions. The commander may require that each individual or staff agency charged with a corrective action reply by endorsement (RBE) to ensure that the required tasks have been accomplished. The IG's role in this case would be to review copies of the RBEs as part of the IG's follow-up activities. RBEs are not normally required for IG inspections.**
- g. IG inspection results will not be used to compare units or organizations or as criteria for competitive unit awards. IG inspection results **will not be used** to penalize units, commanders, or individuals.
- h. **Protecting the anonymity of units and individuals enhances the IG's reputation as a fair and impartial fact-finder and trusted agent. Confidentiality remains a priority; however, IGs cannot guarantee confidentiality during an inspection. IGs normally write IG inspection reports in redacted form only; names of individuals or units never appear in those reports except as an annex or appendix. However, situations may arise when an IG must identify a specific source of information in order to fix problems or to ensure that assistance is provided (usually in reports for general, compliance-oriented inspections). In those instances, the IG must inform the individuals or unit commanders that their identities will appear in the inspection report and then explain why such action is necessary. This explanation will help maintain the credibility and integrity of the IG System. In these cases, distribution of the final inspection report is severely limited (in many cases, the report may only go to the commander), and the IG must caution the recipients of the report that they cannot use information linked to any individuals or units to evaluate or punish those individuals or organizations.**
- i. **If an IG discovers serious deficiencies involving breaches of integrity, security violations, or criminality, the IG will consult the supporting SJA, USACIDC, U.S. Army Intelligence and Security Command security officer, or provost marshal as appropriate to determine a recommended course of action. The IG may inform the commander directing the inspection of the SJA's, USACIDC's, U.S. Army Intelligence command security officer's, or provost marshal's recommended**

- course of action, or the IG may choose to initiate an investigative inquiry. The IG will notify the appropriate subordinate commander so that the commander may initiate immediate corrective action. If the IG discovers a serious safety deficiency during the course of gathering information from units, the IG will present that information directly to the applicable commander, complete with all necessary attribution, in order to prevent injury to life or limb.**
- j. IGs are authorized to conduct inspections of any Army unit assigned within the command **when directed by the appropriate authority.** IGs may inspect units of another command as long as coordination and prior approval have occurred at the appropriate command level. For example, prior to conducting an IG inspection of a tenant unit assigned to another MACOM, the inspecting IG must coordinate with the appropriate MACOM IG. Outside the continental United States (OCONUS) MACOM IGs, with prior approval, may inspect another MACOM's activities if located within their geographic area. Installation IGs may inspect tenant activities, including Army and Air Force Exchange Service (AAFES) facilities and DOD activities, on the installation once coordinated and approved.
 - k. An IG may participate as a member of another command's IG inspection team. **Army IGs may also participate in joint inspections with regional Combatant Command (COCOM) commanders and DOD agencies consistent with Army MACOM authorities and responsibilities as outlined in AR 10-87 and other operational directives issued by the Joint Staff.**
 - l. An IG may not participate in a command inspection as the head of the inspection team or participate in a command inspection other than to inspect IG functions and IG areas of responsibility. **In accordance with AR 1-201, IGs may organize and coordinate the commander's command inspection program if tasked but will not lead or physically inspect as part of the inspection effort. (See para 2-6b)** This prohibition also applies to staff inspections. An IG may participate as a member of a command inspection team for the purpose of inspecting a subordinate command's IG office or to execute Intelligence Oversight or OIP responsibilities. For example, a corps commander may decide to conduct a command inspection of a subordinate division. The corps IG may inspect the division IG as a part of the command inspection team. Although accompanying the rest of the command inspection team, the IG will be conducting an IG inspection. The results of the corps IG's inspection will remain protected as IG records (see chap 3) and will appear under separate cover to the inspecting commander; the results will not be included as a part of the overall command inspection report. **In addition, command, staff, and IG inspections involving designated units may occur simultaneously if their combined scheduling allows the commander to adhere to the inspection principles outlined in AR 1-201 and meet other operational imperatives.**
 - m. Any inspection conducted by an IG as a part of a command or staff inspection renders that part of the command or staff inspection an IG inspection. This fact does not preclude the IG from teaching and training a command or staff inspection team on how to conduct inspections, nor does it preclude the IG from accompanying either of those teams to observe and evaluate the inspection and the inspectors. In these instances, the IG will only provide findings that reflect the results of inspecting the inspectors and the inspection.
 - n. **IGs will not normally conduct command climate sensing sessions. Other staff proponents such as the EO advisor, chaplain, or EEO are trained to conduct these sensing sessions and should perform them as requested during command or staff inspections. IGs predominantly use sensing sessions to gather information during inspections or to pursue specific issues or topics when providing assistance or conducting investigations. The IG should always recommend first that the appropriate staff proponents conduct command climate surveys and sensing sessions. The proponent for DA Pam 600-69, Unit Climate Profile Commander's Handbook, is Army G-1. When conducting sensing sessions involving DOD**

civilian personnel in order to gather information as part of a special IG inspection, the IG may have to coordinate the sessions with the local bargaining unit/union.

6-4. Inspector general inspections process (see figure 6–1)

a. Preparation phase.

- (1) *Research.* The purpose of the research step is to narrow the scope and focus of the inspection, develop an inspection purpose, and to identify the high payoff items in the form of inspection objectives.
- (2) *Develop the concept.* The concept is the blueprint for the inspection. The inspection concept outlines the basic approach the IG intends to use to execute the inspection, to include a milestone timeline.
- (3) *Commander approves the concept.* The IG conducts a decision briefing or presents a staff packet for the directing authority that outlines the inspection concept. The briefing or concept memorandum in the staff packet includes the inspection purpose, inspection objectives, intended sampling size, milestone timeline, and other information as required. The end results of the briefing are the commander's approval of the concept (especially the purpose, objectives, and timeline) and an inspection directive signed by the commander as the directing authority. This inspection directive gives the IG the authority to conduct the inspection on the commander's behalf and provides the IG with temporary tasking authority for the purposes of requesting augmentation and support from the inspected units.
- (4) *Plan in detail.* After the directing authority has approved the inspection, the IG plans the specific details of the inspection. The IG must develop four products during this step: sub-tasks for each inspection objective, a methodology, a notification letter, and a detailed inspection plan. The sub-tasks identify the specific information-gathering tasks that the IG must perform in order to answer the overall information requirement in the inspection objective. The methodology follows from the sub-tasks and drives the inspection team's task organization, baseline methodology, and sample inspection itinerary for each unit visited. The notification letter then informs those units selected for an IG information-gathering visit based upon the intended sampling size. The final product, the detailed inspection plan, outlines the specific details of the inspection and any resource requirements the units must provide to support the IG inspection team. The detailed inspection plan attempts to answer the inspected unit's concerns and questions about the inspection since the IG inspection team will always operate above board but discreetly.
- (5) *Train up.* This step allows the individual IG inspectors to develop their information-gathering tools (interview questions, documents review guidelines, etc.) and conduct low-level rehearsals in the IG office. If augmentees (temporary assistant IGs) will be part of the team, the IGs must train them on the provisions of AR 1–201 and AR 20–1 and then administer the IG oath. Augmentees are normally non-IGs who are subject-matter or technical experts in the topic under inspection and who round out—and enhance—the IG team's knowledge and expertise. Commanders with authority over these experts may task them to serve as temporary assistant IGs. However, commanders must request augmentees from outside the command through normal command or tasking channels as required. Once assigned to the inspection team, IGs must—at a minimum—train the temporary assistant IGs on the basic IG concept and system, the IG tenet of confidentiality, and the nature of IG records and restrictions on their use.
- (6) *Pre-inspection visits.* IGs conduct a pre-inspection visit (or visits) to validate their methodology and information-gathering tools. The IG team normally selects one unit to visit that best represents the baseline size and type of unit the team intends to inspect (for example, a battalion would be a good baseline unit to visit in a division since the IG will most likely visit more battalions than

any other size organization). Usually, the unit (or units) selected for the pre-inspection visit are not chosen for the actual inspection. The pre-inspection visit is a training device for the IG inspection team; the results of the visit are left with the unit commander and are not normally reflected in the inspection report since the team usually makes changes or adjustments to their information-gathering tools. Exceptions to this principle are at the discretion of the command or State IG.

b. Execution phase.

- (1) *Visit units.* The IGs visit the selected units in accordance with the detailed inspection plan and execute the information-gathering activities and tasks identified in the methodology. The IG team will always conduct an in-briefing for the commander that offers background on the inspection and an out-briefing that leaves the commander with basic feedback (in redacted form) that will prove useful. This feedback remains with the commander. The final product of each visit is a trip report that captures all information gathered by the inspection team complete with full attribution.
- (2) *In-Process review.* Although shown only once in figure 6–1, in-process reviews (IPRs) occur throughout the visit units step. The main purpose of the IPR is to share information with and among the inspection team members. The team will normally conduct a brief IPR at the end of each unit visit to produce an out-briefing and then conduct periodic IPRs after every few visits to identify emerging trends that the IG team can use later to update the commander. The inspection team may conduct additional IPRs at different points in the process as required.
- (3) *Updating the commander.* The IG will always ask if the commander wants an update during the inspection. In most cases, the commander will request it. The update will most likely occur as the IG inspection team is visiting units, conducting IPRs, and generating trip reports. Therefore, the IG inspection team leader should craft an update briefing that reviews the overall objectives and concept for the commander and then presents the most current version of the emerging trends based upon the most recent IPR. These trends may or not be closely linked to the objectives or sub-tasks in some cases. The IG must caution the commander that the trends do not necessarily represent interim findings but instead give the commander a sense of the information gathered up to this point. Some of the trends may in fact become findings during the next step.
- (4) *Analyzing results and crosswalking.* When the IG inspection team enters this step, all unit visits and their accompanying trip reports are complete. The team will organize to write the draft version of the final inspection report. The IG team leader will tender writing assignments to the team members as necessary based upon the designated report format. Each sub-task under each objective will have no less than one finding statement (and findings section) associated with it. The findings statements for each objective's sub-tasks, when combined, will answer the overall information requirements of the inspection objective. This step is still in the execution phase since crosswalking may occur that will result in additional information for the report. Crosswalking is nothing more than an IG's attempt to verify what he or she saw, read, or heard as captured in the trip reports, which are the IG's primary-source documents for writing the final inspection report. The final output of this step is a draft version of the final inspection report (see para 6-5).
- (5) *Out brief the proponents.* Proponents are those individuals or staff agencies that the IG identifies in the final inspection report to resolve problems in their respective areas of responsibility. With each finding comes a recommendation, and the IG must select the appropriate proponent to implement the recommended solution. The IG briefs proponents on the findings and recommendations that apply to them as a professional courtesy prior to

briefing the commander. By briefing the proponents, the IG may also learn more about the issue and glean fresh ideas about how best to approach the solution. For this reason, out-briefing the proponents is still part of the execution phase since the IG may still gather additional information for the report. In addition, the proponent has the right to disagree with the IG about the intended solution. If the proponent does not convince the IG to eliminate or change the recommendation or findings, the IG will simply note the proponent's objections and inform the commander during the final out-briefing. The proponent should also be present to state the reasons for non-concurring.

c. Completion phase.

- (1) *Out brief the commander.* The IG presents the results of the inspection to the directing authority for approval during this step. The IG will develop a formal briefing that outlines the findings and recommendations contained in the final inspection report. The IG must invite key staff members and the proponents identified in the report to attend. The command's tasking authority (normally the operations officer) should be present since all recommendations become taskers once the commander approves the inspection report.
- (2) *Taskers.* Once the commander approves the IG inspection report, all recommendations become taskers to which the command's tasking authority must assign a suspense date. The IG's role is to monitor the assignment of these taskers and not to supervise their implementation.
- (3) *Final report.* The final inspection report will incorporate any changes designated by the commander during the out-briefing. The IG will also craft a cover letter for the commander's signature that approves the final inspection report. This letter becomes the first page of the inspection report.
- (4) *Handoff.* Handoff is the process of transferring a verified finding that is beyond the ability or authority of the command to correct. Findings are verified when the directing authority approves the inspection report. Handoff can occur either through command or IG channels.
- (5) *Distributing the final report.* The commander must provide the IG with distribution guidance for the final inspection report. If possible, the IG should widely disseminate the final report to ensure that all elements of the command are aware of the inspection results and can apply corrective action where appropriate—even though not all members of the command participated in, or contributed to, the inspection. At a minimum, the commander, the proponents, the staff, and the units inspected will receive a copy of the final report. The IG must ensure that the report is fully redacted for all attribution (names, units, etc.) prior to disseminating it.
- (6) *Schedule follow-up.* The inspection is not complete until follow-up occurs. Follow-up can take many forms; the IG can call or visit the proponents to check on their progress or conduct a complete re-inspection of the same topic. Follow-up closes the loop with all concerned, identifies what tasks are complete and those that are not (and the reasons why), and provides the commander with feedback.

6-5. Inspector general inspection reports

- a. All IG inspections must end with a written report that the IG provides to the directing authority and others as necessary (see para 6-4c). The purpose of this written report is to provide a record for follow-up inspections and trends analysis. IGs will only write fully *redacted* inspection reports; in other words, the process of writing the report will automatically omit all sources of information such as names and units (unless the report is the result of a general, compliance-oriented inspection) (See para 6-3h.). This approach prevents anyone from using the report to reward, punish, or compare individuals or their units. The IG must make a copy of the report available to the directing authority. Based upon the directing authority's guidance, the IG can distribute the report as necessary to staff agencies,

proponents, other commands, higher- and lower-echelon IG offices, etc. In some cases, providing only selected portions or extracts of the inspection report may be more appropriate. If corrective action is beyond the authority or capability of the inspected command, handoff procedures will occur as described in paragraph *i*. If the report contains—or may contain—sensitive information, then the commander or IG must contact DAIG's Records Release Office (SAIG-ZXL) for dissemination guidance.

- b. IG inspection findings must be thorough, detailed, and accurate in order to provide the directing authority, the members of the command, and the proponents responsible for fixing any problems with sufficient information to address the issues or problems discovered. The format for reporting findings should include sufficient information so that commanders and proponents can take corrective action. The recommended five-part format for a findings section is as follows:

- (1) The finding statement, which is a concise statement of what the IG found. The finding statement can reflect either good or bad news.
- (2) The standard as quoted verbatim from law, policy, or regulation.
- (3) Inspection results, which describe in detail what the IG found during the inspection. This portion of the findings section describes the information that led the IG to the finding statement and is essential for proponents, who must understand the nature of what the IG found so that they can implement solutions in an informed manner.
- (4) The root cause, which explains why something is not in compliance with existing standards.
- (5) The recommendation, which outlines a solution that will fix the problem and identifies the person or activity—the proponent—charged with implementing the solution.

The IG must ensure that each five-part findings section is logically sufficient. In other words, the recommendations must present a solution that follows directly from the root cause; in turn, the recommendations must solve any problem identified in the finding statement. Finding statements that reflect good news will generally not have a root cause or a recommended solution.

- c. The directing authority will determine the distribution of all DAIG inspection reports on a case-by-case basis. (See sec II for IG technical inspections.) Command and State IGs, **with permission from their directing authorities**, should provide their inspection reports to The Inspector General (ATTN: SAIG-ID), 1700 Army Pentagon, Washington, DC 20310-1700. (See paras 3-4, 3-5, and 3-6 for guidance on the dissemination of DAIG inspection reports.)
- d. The use of formal replies to IG findings or reports is not required unless specifically directed by the commander. (See para 6-14 for actions required with regard to IG technical inspections.)
- e. IG inspection reports will identify significant problems involving readiness. With the exception of reports of IG technical and intelligence oversight inspections, reports will provide recommended solutions and fix responsibility for correcting identified deficiencies.
- f. **IGs will not use ratings such as satisfactory or unsatisfactory to rate individual units. The use of such ratings suggests a quality judgment by the IG that is inappropriate and that compromises the IG's fair and impartial status. The only exceptions to this guidance are for Technical Inspections, CID technical inspections of investigative practices and sub-programs, and Intelligence Oversight inspections of SAPs and SAs.**
- g. During IG inspections, the IG should identify and formally recognize meritorious conditions or innovative problem solutions. Identifying and disseminating innovative ideas, good news, and lessons learned must receive the same emphasis as identifying and correcting deficiencies. **In cases where recognizing innovative ideas and good news demands that the IG identify a unit or an individual (usually as part of an out-briefing), the IG may do so but must further qualify the information by reminding the commander**

that such attributed information cannot be used to compare, reward, or evaluate individuals and units.

- h. IG inspection reports of National Guard (NG) activities, directed by an authority other than the State AG, will be provided through the Chief, NGB (ATTN: IG), to the State AG (ATTN: IG).
- i. Handoffs.
 - (1) When findings are beyond the authority or ability of the inspected command to correct, they will be transferred through IG **technical** or command channels to the appropriate agency for corrective action. This process is called handoff.
 - (2) Findings handed off through IG **technical channels** will be staffed through the MACOM IG to DAIG for action as required. **If the MACOM IG (or another subordinate IG) can correct the problem before forwarding it to DAIG, the MACOM IG will do so. If DAIG must receive the handoff because an agency in HQDA is best suited to fix the problem (such as revising an Army regulation), then the MACOM IG will forward the handoff request to DAIG at the following address:** The Inspector General (office symbol), 1700 Army Pentagon, Washington, DC 20310–1700. The following office symbols apply:
 - (a) SAIG–TI for Technical Inspections
 - (b) SAIG–IO for Intelligence Oversight **Division** Inspections
 - (c) SAIG–ID for all other inspections
 - (3) The IG receiving the handoff will keep the originating IG informed of the location and status of the finding.
 - (4) Appropriate findings for handoff requests to DAIG include (but are not limited to) the following:
 - (a) When the findings involve DA action, multiple MACOMs, or are of a magnitude requiring Army-wide actions.**
 - (b) When the proponent is HQDA.
 - (c) When corrective action resulting from one MACOM's handoff to another MACOM did not solve the problem.
 - (d) When action is required from outside DA.

6-6. Compressed inspections

Periods of high operational tempo, such as a deployed or wartime environment, may cause the IG to compress certain steps in the IG inspections process in order to provide rapid feedback that allows the commander to make informed decisions quickly. The key to compressing the IG inspections process is to avoid putting the validity of the findings and recommendations at risk. In these situations where timely completion of the inspection is critical, the IG—in coordination with the directing authority—must identify the purpose and scope of the inspection and choose carefully which steps to compress or omit. When directed to conduct a compressed inspection, the IG must brief the directing authority on the associated risk of compressing the inspections process. For example, the IG should voice any concerns if the inspection team does not have ample time for research, development of the inspection plan, and train-up during the preparation phase of the inspection. Also, if a lack of time compels the IG to contact a very small number of units or individuals to gather information, the commander should recognize that the findings may not fully represent what is actually occurring within the command. The five guiding principles for deciding which steps the IG may compress or omit during the inspections process appear in AR 1-201: purposeful, coordinated, focused on feedback, instructive, and followed-up. Doctrinal guidance on compressed inspections is also available from TIGS.

Section II

Technical Inspections

6–7. Inspections guidance

- a. This section, used with the 50-series Army regulations, provides guidance for the conduct of nuclear surety inspections (NSIs), reactor facility inspections (RFIs), chemical surety inspections (CSIs), non-surety chemical agent inspections (NSCAIs), biological surety inspections (BSIs), and management evaluations (MEs). This section applies to IGs assigned to DAIG. Field IGs with questions or issues concerning technical inspections must contact DAIG's Technical Inspections Division (SAIG-TI) for guidance.
- b. Compliance-oriented technical inspections mirror, to a great extent, other IG inspections. As such, procedures for the protection of confidentiality (see para 6-3h) and applicable inspections policy (see para 6-3) apply.

6-8. Objectives and jurisdiction

a. Objectives.

- (1) Inspections assess the adequacy—and ensure standardization—of procedures for Army organizations, facilities, and activities having nuclear, chemical, and biological surety and non-surety chemical agent missions.
- (2) Management evaluations inquire into the nuclear, chemical agent, and biological agent functions and responsibilities of Army organizations, facilities, and activities to determine management, systemic, or functional problem areas.
- (3) These inspections and evaluations—
 - (a) Ensure adherence to approved nuclear technical, health, safety, security, environmental, and reliability standards and procedures.
 - (b) Ensure adherence to approved chemical agent and biological technical, health, safety, accountability, security, reliability, environmental, and demilitarization standards and procedures.
 - (c) Determine the adequacy of support and guidance provided to each organization.
 - (d) Determine and pursue systemic issues affecting the commander's capability to perform the mission.
 - (e) Provide MACOMs with inspection results for use in their OIP to assist in determining the status of a unit's nuclear, chemical, and biological mission capability.
 - (f) Keep Army leaders and appropriate authorities informed of the status of the Army's nuclear, chemical, and biological surety and non-surety chemical programs.

- b. *TIG's technical inspection jurisdiction.* TIG establishes inspection policies and standard procedures for the conduct of NSIs, RFIs, CSIs, NSCIs, BSIs, and management evaluations. DAIG's Technical Inspections Division conducts technical inspections of units and activities at intervals not to exceed two years. Additional inspections may be scheduled as determined by the Army Secretariat, TIG, and the Army Staff.

c. DAIG surety inspections and management evaluation procedures.

- (1) In general, surety inspections examine the functional areas specified in the 50-series Army regulations.
- (2) Management evaluations of surety functional areas identify systemic issues within the Army as appropriate.

6-9. Inspection and evaluation schedule. DAIG's Technical Inspections Division will develop and publish inspection and evaluation schedules 90 days prior to the beginning of the fiscal year.

6-10. Contract oversight. CSIs and BSIs of organizations having management responsibility for administering contracts involving Army- or DoD-supplied chemical agents or BSAT will include an assessment of the contract oversight program.

6-11. Augmentees. HQDA agencies and MACOM and other commanders will provide subject-matter experts (SMEs) on a TDY basis as required by TIG to assist in conducting inspections and management evaluations. TIG will determine the required qualifications for these personnel.

6-12. Inspection Ratings.

- a. Inspected organizations will receive one of the ratings listed in table 6-6 for each of the functional areas inspected. These are No Deficiencies; Deficiencies: None Failing; Deficiencies: Failing; Correction Verified; and Deficiencies: Resolution/Reinspection Required. No ratings will be assigned for MEs.
- b. A deficiency failing may result in the appropriate functional area when any of the following conditions exist:
 - (1) Failure to achieve or maintain assigned mission capability through shortages in personnel, equipment, supplies, or authorized repair parts, resulting in the failure to accomplish the assigned surety or non-surety mission.
 - (2) Loss of accountability or custody of surety or non-surety chemical agent material.
 - (3) Failure to provide a safe environment for nuclear, chemical agent, or biological material and the people handling it
 - (4) Failure to provide a secure environment for surety nuclear, chemical, and biological material and non-surety chemical agent material.
 - (5) Failure to respond to an actual or simulated nuclear, chemical, or biological accident or incident as outlined in the facility/organizational plans (included are actions that could permit unnecessary loss of life, personal injury, destruction of property, compromise of classified materiel or information, loss of accountability or control of surety material or non-surety chemical agent material, or avoidable post-accident or incident contamination.)
 - (6) A pattern of deficiencies in any one or several of the functional areas will constitute a failure when such a pattern demonstrates a manner of performance that indicates a lack of competence or a disregard for prescribed procedures.
 - (7) Failure to establish or maintain an effective program for surety or AA&E reliability program management.
- c. External support may be given a Deficiency: Failing when any of the conditions described above exist that are beyond the capability of the inspected organization to avoid, influence, or correct and are attributable to a supporting activity.

6-13. Technical Inspection Reports.

- a. DAIG's Technical Inspections Division will prepare a separate written report for each inspection.
 - (1) Inspection findings will provide sufficient information to allow the inspected activity and the affected proponent offices to link findings clearly to the requirements contained in appropriate regulatory and other Army-level guidance and to correct shortcomings and deficiencies. Findings may also identify potential requirements to change or clarify regulatory requirements.
 - (2) Inspection findings will be identified as "factors affecting operations" or as "deficiencies". Factors affecting operations identify issues and problems and provide recommendations for their resolution. Deficiencies identify deviations from, or noncompliance with, established standards (law, policy, regulation, or published procedures). Deficiencies that are failing will be marked as such.
 - (3) DAIG's Technical Inspections Division will furnish a copy of the written report within 10 days to the responsible MACOM; HQDA staff agency (ASA (I&E), DAMO-SSD, DAPM-MPD-PS, DACS-SF); Director, USANCA (ATNA-OP); and HQ, IMA as applicable.
- b. When an organization receives ratings of No Deficiencies; Deficiencies: None Failing; or Deficiencies: Failing, Correction Verified, a written response of corrective actions normally will not be required. However, selected factors

affecting operations or deficiencies may require a response. DAIG's Technical Inspections Division will specify which findings, if any, require a written response of corrective actions and the timeline for the response.

c. When the organization receives a rating of Deficiencies: Failing, Resolution/Reinspection Required—

(1) The inspected organization will forward a written response of the action taken to correct the failing deficiencies and any reclama (as outlined in para 6-15) to the MACOM within 30 days of the date on the final report.

(2) The responsible MACOM will accomplish the following within 60 days from the date of the inspection report:

(a) Review the inspection report, the written report of corrective actions taken and planned by the organization, and any reclama to the failing deficiencies.

(b) Forward the corrective action response to DAIG's Technical Inspections Division.

(c) Determine whether to forward any reclama to HQDA and/or submit a MACOM-level reclama in accordance with paragraph 6-15.

(d) Make one of the "mission capability" determinations found in table 6-7 pertaining to the inspected organization:

(1) Convey the "mission capability" determination with implementing instructions to the organization.

(2) Provide a copy of the "mission capability" determination to DAIG's Technical Inspections Division (SAIG-TI) and HQDA (DAMO-SSD).

(3) Within 20 days of receiving the organization's written response of corrective actions from the MACOM, DAIG's Technical Inspections Division will review the response and determine the type of reinspection that DAIG will conduct for each recorded deficiency either on-site or through a document review.

(4) DAIG's Technical Inspections Division will provide applicable extracts from the inspected organization's final report to the activity cited for inadequate external support.

(5) For deficiencies not corrected during the inspection, the supporting agency will prepare a written reply outlining the corrective action taken or planned (with milestones for completion). The supporting agency will forward a report of corrective action taken within 30 days through command channels to HQDA, OTIG (SAIG-TI) with copies furnished to the inspected/supported organization; its MACOM; and HQDA, Army G-3, ATTN: DAMO-SSD.

(6) For external support ratings of Deficiencies: Failing, Resolution/Reinspection Required, the inspected organization's MACOM will make the mission-capability determination in accordance with paragraph 6-14c. If the MACOM determines that the facility is Mission Capable with Limitations or Not Mission Capable, the MACOM will ensure that the external support issues are resolved expeditiously. Issues that cannot be resolved between MACOMs/IMA will be forwarded to the appropriate HQDA office for resolution.

(7) DAIG's Technical Inspections Division will normally conduct on-site reinspections of failing deficiencies within 120 days. The scope of a reinspection will be limited to the specific area, activity, or operation that was the basis for the failing deficiencies. DAIG's Technical Inspections Division will notify the inspected facility of an on-site reinspection at least 30 days prior to the desired reinspection date. DAIG's Technical Inspections Division may elect to conduct a document review reinspection, which consists of the review and the acceptance of documentation supporting the corrective action identified in the organization's written response.

d. Table 6-8 summarizes the timelines associated with inspection reports.

6-14. Reclamas

a. The DAIG team chief and the Commander/Director will make every effort to resolve

- issues prior to the publication of a final report.
- b. The DAIG team chief will not change findings of fact. These findings are those things that an inspector actually observed during the inspection such as no evidence of quarterly inventories, missed steps in a procedure, and out-of-date calibration. The team chief will inform the inspected organization of any tentative findings identified during the inspection. The commander/director will learn of these tentative findings at the nightly outbriefs. The DAIG team chief will consider any evidence that can be produced to nullify a tentative finding (such as finding a misplaced file) up to the time the inspection activities are concluded. The DAIG team chief may consider any information presented after that point in time. Reproduced documentation will not change a finding but will be treated as a corrective action.
 - c. The DAIG team chief and the commander/director will resolve differences in interpretation of a regulatory requirement. If both parties cannot agree, they will contact the regulation's proponent to discuss the situation and obtain the proponent's ruling. Matters requiring a legal opinion will be forwarded to an appropriate senior Army legal office (at the Department or Secretariat level) with a request for an opinion after consulting with DAIG's Legal Advisor. The opinions rendered by the senior legal office are binding on both the proponent and DAIG.
 - d. Should an issue not be resolved with the proponent or through a legal opinion prior to the inspection's completion, the inspection team will publish a draft report. The team will publish the final report after obtaining the proponent/legal opinion. This process will include the facility commander or director.
 - e. Any commander/director in the chain of command of the inspected organization or external support organization may submit a reclama. Reclamas will be sent through the MACOM to the HQDA proponent (ASA (I&E) or DA G35-SSD) for resolution. Normally, the proponent will coordinate the HQDA response to reclamas, to include DAIG's Technical Inspections Division. If DAIG's Technical Inspections Division does not concur with the proposed resolution, the level will go to higher echelons for adjudication. The final adjudication authority, if required, is the Secretary of the Army. The proponent will forward all final decisions to the MACOM within 60 days of receipt; for reclamas to failing deficiencies, the MACOMs will receive the final decisions within 30 days of receipt. The proponent will furnish copies of all final decisions to DAIG's Technical Inspections Division (SAIG-TI) ; other staff elements as appropriate; and the director, USANCA (ATNA-OP).
 - f. Each commander/director in the chain of command will evaluate the reclama and forward it to the next higher headquarters and identify the commander's/director's concurrence or nonconcurrence with the reclama. The MACOM will determine whether or not to forward the reclama to HQDA and whether to submit a MACOM-level reclama.
 - g. The inspected organization and/or intermediate headquarters will submit reclamas to the MACOM not later than 30 days from the date of the final inspection report. The MACOM will evaluate and forward the reclama (as appropriate) to HQDA not later than 60 days from the date of the final inspection report.
 - h. The proponent will coordinate the HQDA response to reclamas, to include a legal interpretation when required, and forward the final decisions to DAIG's Technical Inspections Division and the MACOM within 30 days. The proponent will furnish copies of the final decisions to other staff elements as appropriate and to the Director, USANCA (ATNA-OP). Where an interpretation/clarification of a regulation/policy has been made, the proponent will prepare and send a message reflecting the interpretation/clarification to all affected MACOMs and HQDA staff agencies not later than 30 days following the decision. MACOMs will forward the message to affected organizations within the command as soon as possible.

Section III Intelligence Oversight Inspections

6-16. Inspections guidance

- a. IGs must provide intelligence oversight for the intelligence components within their command. IGs at all levels have the responsibility to inspect intelligence components and activities as part of their commander's OIP.
- b. This section, used with AR 381–10 and Executive Order 12333, provides guidance for the conduct of intelligence oversight inspections. This section applies to all IGs.
- c. **State IGs assigned to multi-service headquarters will adhere to applicable DOD directives and instructions relating to intelligence oversight, to include the appropriate U.S. Air Force instructions governing the role of Air Force IGs in intelligence oversight.**
- d. **The commander's OIP will normally determine the frequency of intelligence oversight inspections within the command. However, IGs at all levels will ensure that they inspect their intelligence components a minimum of once every two years.**

6-17. Intelligence oversight purpose and procedures

- a. AR 381–10 sets forth 15 procedures governing the activities of intelligence components that affect U.S. persons as defined in that regulation. Procedures 2 through 4 provide the sole authority by which such components may collect, retain, and disseminate information concerning U.S. persons.
- b. These procedures enable DOD intelligence components to carry out effectively their authorized functions while ensuring any activities that affect U.S. persons are carried out in a manner that protects the constitutional rights and privacy of such persons.
- c. Procedure 14 requires each intelligence component to familiarize its personnel with the provisions of Executive Order 12333, AR 381–10, and applicable implementing instructions. At a minimum, such familiarization shall contain—
 - (1) Applicable portions of Procedures 1 through 4.
 - (2) A summary of other procedures that pertain to collection techniques that are (or may be) employed by the intelligence component.
 - (3) A statement of individual employee reporting responsibility under Procedure 15.
- d. Procedure 15 requires IGs, as part of their inspection of intelligence activities and components, to—
 - (1) Seek to determine whether such components are involved in any questionable activities.
 - (2) Ascertain whether any organization, staffs, or offices within their respective jurisdictions, but not otherwise specifically identified as DOD intelligence components, are being used for foreign intelligence or counterintelligence purposes to which Executive Order 12333 applies and, if so, ensure the activities of such components are in compliance with AR 381–10 and applicable policy.
 - (3) Ensure that procedures exist within such components for the reporting of questionable activities and that employees of such components are aware of their responsibilities to report such activities.

6-18. Inspection methodology

- a. DAIG's Intelligence Oversight Division (SAIG-IO) has developed an inspection methodology to assist field IGs in the conduct of intelligence oversight inspections. This methodology can be an effective tool in determining compliance with AR 381–10, assessing soldier/civilian knowledge of the regulation, and identifying questionable activities.
 - (1) IGs should identify intelligence components and personnel performing intelligence functions—generally numbered Military Intelligence (MI) units and G–2/S–2 offices. They may also include security personnel with additional intelligence duties. Some of

these dual-responsibility personnel may not realize that they are subject to the provisions of AR 381–10.

- (2) The intelligence component should brief the IG on their operations and their intelligence oversight program. Elements of importance are—
 - (a) Existence of an intelligence oversight program (beyond simply a written program).
 - (b) A designated point of contact for intelligence oversight.
 - (3) IGs should determine whether the intelligence component handles U.S. person information and, if so, determine under what authority. Generally speaking, military intelligence organizations or offices, with the exception of strategic counterintelligence units, do not handle information on U.S. persons. When they do, it is generally because the organization/office is also performing non-intelligence functions such as personnel security. At the installation level, the intelligence function is often an extra duty of the security officer. In such cases, AR 381–10 applies only to the intelligence portion of that individual's duties.
 - (4) IGs should assess the ability of unit members to apply AR 381–10 in practical situations. **Army G-2** has developed a Web page at <http://www.dami.army.pentagon.mil/> with various scenarios and solutions. Additionally, the DOD IO office and IO offices of other Services have Web sites containing useful information. **Other training scenarios are available from TIGS.**
 - (5) The IG must check both paper and electronic unit intelligence files. Threat files, particularly force protection files, can be problem areas. Military intelligence components do not have the mission to collect information on U.S. domestic threats; this mission is a law enforcement/Provost Marshal function. Some incidental information on a U.S. person may appear in documents prepared by intelligence components outside the command. This incidental information does not necessarily violate AR 381–10 as long as the information is properly filed (that is, not retrievable by reference to the U.S. person) and is not extracted to produce intelligence products. **The inspection methodology should also include a provision to crosswalk unit intelligence files with disciplinary and derogatory files involving intelligence personnel.**
 - (6) IGs should determine if the intelligence component knows how to report a questionable activity as required by Procedure 15. Unit members **must** be able to identify the designated IO point of contact (POC). The unit members should understand the IG's role in IO as well.
- b. If, in the course of the inspection, it appears questionable activity has occurred, the intelligence component will submit a Procedure 15 report in accordance with AR 381–10. Forward questions concerning questionable activities or the conduct of IO inspections to DAIG's Intelligence Oversight Division at the following address: The Inspector General (ATTN: SAIG–IO), 1700 Army Pentagon, Washington, DC 20310–1700. Alternatively, e-mail: IOD@daig.ignet.army.mil, or telephone (703) 697–6698, 6697, or 6630 (DSN 227). Unclassified fax is DSN 225–7600, (703) 695–7600.

6-19. Special access programs, sensitive activities, and Army laboratories

- a. **DAIG's Intelligence Oversight Division (IOD) will conduct inspections of Special Access Programs (SAPs) and Sensitive Activities (SAs) on a rotating basis based upon the number of approved SAPs and SAs. The Technology Management Office (TMO) is responsible for determining the list of organizations subject to inspection by DAIG's IOD.**
- b. **IOD team members will conduct security management inspections of selected Army laboratories and research, development, and testing facilities on a five-year rotational basis. A memorandum of understanding (MOU) with the Deputy Under Secretary of Defense for Laboratories and Basic Science and the IG, DOD, establishes proponentcy for these inspections.**

Table 6-1. NSI Scope

| MISSION OPERATIONS | SECURITY |
|--|--|
| Mission Statement | Security planning and procedures |
| Plans and SOPs | Storage requirements |
| Nuclear command and control | Key and lock control |
| Training | Access control |
| Publications | Intrusion detection and assessment |
| Records and reports | |
| Inventory and accountability | |
| Destruction | |
| LOGISTICS AND FACILITIES | SURETY MANAGEMENT |
| MTOE/TDA equipment | Personnel Reliability Program management |
| Specialized equipment | Manning |
| Custodial facilities | Levy management |
| MEDICAL SUPPORT | EXTERNAL SUPPORT |
| Medical records/documents | Conditions beyond the capability of the inspected organization to avoid, influence, or correct and that are the responsibilities of supporting activities. Deficiencies will be attributed to the supporting activity and not to the inspected organization. |
| Medical Personnel Reliability Program management | |
| Occupational Health | |
| Other Medical Services | |

Table 6-2. RFI Scope

| | |
|--|---|
| PHYSICAL LAYOUT | PHYSICAL COMPONENTS |
| Facility design | Inspect all components installed as parts of main, auxiliary, emergency, and support systems |
| Facility construction | Design, installation, modifications, technical specifications, reliability, backup, condition, use, maintenance, testing, and calibration will be reviewed. |
| Use of space | Plans concerning incidents, accidents, and malfunctions |
| Working conditions | Inspect all equipment in support of the facility, including emergency power, backup systems, and material-handling equipment. |
| Experimental setups | Radiation detection and measurements, test and measuring equipment, hand tools, radioactive resource sets, and repair parts |
| Housekeeping | |
| Physical security | |
| SAFETY/OCCUPATIONAL HEALTH | PERSONNEL |
| Plans and procedures | Personnel Reliability Program management |
| Personnel protection and protective equipment | Personnel qualifications |
| Hazard analysis program | Security clearances |
| Inspection and compliance monitoring program | |
| DOCUMENTS | MEDICAL SUPPORT |
| Procedures, manuals, logs, supply and maintenance records, and other facility operational documents. | Medical Personnel Reliability Program management |
| Assignment of Authority | Medical records |
| Experiment and modification approval | Occupational health |
| Routine, non-routine, and emergency operations of the reactor facility | Laboratory support |
| Equipment and personnel | OPERATIONAL INSPECTION |
| Health physics practices for control of radiation exposure and contamination, to include environmental monitoring. | Technical reactor facility operations |
| Supply, maintenance and repair parts (includes physical inventory and authority for possession of SNM) | Emergency procedures during a simulated emergency |
| Handling, storage, and disposal of hazardous materials (radioactive, toxic, explosive, or others) | SECURITY |
| Accidents, incidents, and malfunctions | Security planning procedures |
| Core physics measurements | Perimeter security |
| Reactor staff training and qualifications | Storage requirements |

| | |
|--|---|
| REACTOR FACILITY OPERATIONAL PARAMETERS | Support facilities |
| | Key and lock control |
| | Security forces, including augmentation |
| | Training program |
| | Transportation security |
| | Waivers and exceptions |
| | Recovery operations |
| | Emergency response capability |
| | Internal and external inspections |
| | Access control |
| Intrusion detection and assessment | |
| Installation-level Force Protection (as it relates to the surety mission) | |
| Support facilities | |
| Operational parameters versus design parameters | Security arms room and ammunition |
| Operating data and records, to include control rod calibration, shutdown margin, control malfunction, operating logs, and instrumentation data. | |
| EXTERNAL SUPPORT | |
| A review of the adequacy of support provided to the nuclear reactor facility by installation activities outside the control of the commander to which the reactor staff is assigned. Support activities include, but are not limited to, safety, medical, radiation protection, security, and fire protection. | |

Table 6-3. CSI Scope

| | |
|--|--|
| MISSION OPERATIONS | SECURITY |
| Research and development | Security planning procedures |
| Test and evaluation | Perimeter security |
| Storage and surveillance | Storage requirements |
| Training | Support facilities |
| Escort and transportation (on– and off–post) | Key and lock control |
| Special projects | Security forces, including augmentation |
| Calibration, maintenance, and readiness | Training program |
| Inspection program | Transportation security |
| Adequacy of physical facilities | Waivers and exceptions |
| Inventory management | Recovery operations |
| Disposal programs (RDA and Demil) | Emergency response capability |
| Quality assurance programs | Internal and external inspections |
| Adequacy of resources | Access control |
| Environmental compliance program | Intrusion detection and assessment |
| Maintenance of NBC defense equipment used in chemical agent operations | Installation-level Force Protection (as it relates to the surety mission) |
| Laboratory operations (including protocols) | Security of arms room and ammunition |
| SAFETY | SURETY MANAGEMENT |
| Plans and procedures | CPRP management |
| Personnel protection and protective equipment | Adequacy of manning |
| Agent monitoring program | Oversight of safety, security, surety management program, and external support |
| Hazard analysis program | |
| Inspection and compliance monitoring program | |
| Lightning protection | |
| Material handling equipment | |
| Explosive Safety | |
| EMERGENCY RESPONSE | DEMILITARIZATION OPERATIONS |
| CSEPP | COR oversight program |
| CAIRA program | Engineering controls, including configuration control procedures |
| Chemical event reporting | System and process controls |
| | Calibration program |

| MEDICAL SUPPORT | EXTERNAL SUPPORT |
|----------------------------|---|
| Medical Records/Documents | <p>Conditions beyond the capability of the inspected organization to avoid, influence, or correct and that are the responsibilities of supporting activities. Deficiencies will be attributed to the supporting activity and not to the inspected organization.</p> |
| Medical Surety Management | |
| Occupational Health | |
| Medical Laboratory Support | |
| Other Medical Services | |

Table 6-4. NSCAI Scope

| | |
|--|--|
| MISSION OPERATIONS | SECURITY |
| Research and development | Security planning procedures |
| Test and evaluation | Perimeter security |
| Storage and surveillance | Storage requirements |
| Training | Support facilities |
| Escort and transportation (on- and off-post) | Key and lock control |
| Special projects | Security forces, including augmentation |
| Calibration, maintenance, and readiness | Training program |
| Inspection program | Transportation security |
| Adequacy of physical facilities | Waivers and exceptions |
| Inventory management | Recovery operations |
| Disposal programs (RDA and Demil) | Emergency response capability |
| Quality assurance programs | Internal and external inspections |
| Adequacy of resources | Access control |
| Environmental compliance program | Intrusion detection and assessment |
| Maintenance of NBC defense equipment used in chemical agent operations | Installation-level Force Protection (as it relates to the non-surety chemical mission) |
| SAFETY | AAE PERSONNEL RELIABILITY MANAGEMENT |
| Plans and procedures | AAE personnel reliability management |
| Personnel protection and protective equipment | Adequacy of manning |
| Agent monitoring program | Oversight of safety, security, AAE personnel reliability management program and external support |
| Hazard analysis program | |
| Inspection and compliance monitoring program | |
| Lightning protection | |
| Material handling equipment | |
| EMERGENCY RESPONSE | DEMILITARIZATION OPERATIONS |
| CAIRA program | COR oversight program |
| Chemical event reporting | Engineering controls including configuration control procedures |
| | System and process controls |
| | Calibration program |
| MEDICAL SUPPORT | EXTERNAL SUPPORT |
| Medical Records/Documents | Conditions beyond the capability of the inspected organization to avoid, influence, or correct and that are the responsibilities of supporting activities. Deficiencies will be attributed to the supporting activity and not to the inspected organization. |
| Medical AAE personnel reliability management program. | |
| Occupational Health | |
| Medical Laboratory Support | |
| Other Medical Services | |
| | |

Table 6-5. BSI Scope

| | |
|--|--|
| MISSION OPERATIONS | SECURITY |
| Research and development | Security planning procedures |
| Test and evaluation | Perimeter security |
| Storage and surveillance | Storage requirements |
| Training | Support facilities |
| Escort and transportation (on– and off–post) | Key and lock control |
| Special projects | Security forces, including augmentation |
| Calibration, maintenance, and readiness | Training program |
| Inspection program | Transportation security |
| Adequacy of physical facilities | Waivers and exceptions |
| Inventory management | Recovery operations |
| Disposal programs for unneeded agent | Emergency response capability |
| Quality assurance programs | Internal and external inspections |
| Adequacy of resources | Access control |
| Environmental compliance program | Intrusion detection and assessment |
| Maintenance of personal protective equipment used in BSAT operations | Security of arms room and ammunition |
| Laboratory operations (including protocols) | |
| | |
| SAFETY/OCCUPATIONAL HEALTH | SURETY MANAGEMENT |
| Plans and procedures | Biological Personnel Reliability Program management |
| Personnel protection and protective equipment | Adequacy of manning |
| Hazard analysis program | Oversight of safety, security, BPRP program management and external support |
| Inspection and compliance monitoring program | |
| EMERGENCY RESPONSE | MEDICAL SUPPORT |
| Biological accident or incident response planning | Medical Personnel Reliability Program management |
| Biological accident or incident reporting | Medical records |
| | Occupational health |
| | Laboratory support |
| | Other medical services |
| | EXTERNAL SUPPORT |
| | Conditions beyond the capability of the inspected organization to avoid, influence, or correct and that are the responsibilities of supporting activities. Deficiencies will be attributed to the supporting activity and not to the inspected organization. |

Table 6-6. Technical Inspection Ratings

| RATING | DEFINITION |
|---|--|
| No Deficiencies | When an organization demonstrates that it can accomplish critical tasks while providing a safe and secure environment in accordance with approved publications and directives |
| Deficiencies: None Failing | When deficiencies exist but the organization demonstrates that it can accomplish critical tasks while providing a safe and secure environment under approved publications and directives |
| Deficiencies: Failing, Correction Verified | When one or more conditions found in paragraph 6-13 (b) existed but were corrected and verified by the inspection team |
| Deficiencies: Failing, Resolution/Reinspection Required | When one or more conditions found in paragraph 6-13 (b) existed but were not, or could not, be corrected for verification by the inspection team |

Table 6-7. Mission Capability Ratings

| RATING | DEFINITION |
|----------------------------------|---|
| Mission Capable | This determination allows the facility to continue normal operations while completing corrective actions. |
| Mission Capable with Limitations | This determination allows the facility to continue operations within specified limitations while completing corrective actions. |
| Not Mission Capable | This determination requires the facility to secure all chemical agents until specified corrective actions are completed. The responsible MACOM will verify compliance with this restriction and will verify the completion of the corrective actions before the facility can resume chemical surety operations. |

Table 6-8. Technical Inspection Results Processing Matrix

| Day | Suspense | Inspection with reinspection/ resolution required | Inspection with no reinspection/ resolution required | All deficiencies attributed to External Support |
|-----|--|--|---|---|
| 0 | Exit briefing | DAIG provides final Inspection report to inspected organization | DAIG provides final CSI report to inspected organization | |
| 10 | 10 days after inspection | DAIG will provide copy of final report to MACOM, HQDA staff, and USANCA | DAIG provides copy of final report to MACOM, HQDA staff, and USANCA | DAIG provides extract of the report to the cited supporting agency |
| 30 | 30 days after inspection | Inspected organization: <ul style="list-style-type: none"> • Prepares written response of corrective actions taken and planned • Prepares reclama to failing deficiencies if applicable • Forwards response and reclama to MACOM | Inspected organization: <ul style="list-style-type: none"> • Prepares written response to the findings/deficiencies specified by DAIG and forwards to MACOM • Prepares reclama and forwards to MACOM if applicable | For all deficiencies not corrected during inspection, supporting agency: <ul style="list-style-type: none"> • Prepares written response of corrective action taken or planned through its command channels to DAIG with copies to supported organization, its MACOM, and HQDA • Prepares reclama to deficiencies and forwards to HQDA (if applicable) |
| 60 | 60 days after inspection | MACOM: <ul style="list-style-type: none"> • Reviews inspection report, corrective actions response, and reclama • Forwards organization and/or MACOM reclama to HQDA (DAMO-SSD or ASA (I&E)) if applicable • Makes "mission capability" determination about organization and conveys determination to the organization and provide copy to DAIG and HQDA (DAMO-SSD) • Forwards corrective actions response to DAIG | MACOM: <ul style="list-style-type: none"> • Reviews inspection report (and corrective actions response and reclama if applicable) • Forwards organization and/or MACOM reclama to HQDA (DAMO-SSD or ASA (I&E)) and corrective action response to DAIG if applicable | <ul style="list-style-type: none"> • For failing external support deficiencies, the supported organization's MACOM makes "mission capability" determination about organization |
| 80 | 20 days after receipt of written response from MACOM | DAIG <ul style="list-style-type: none"> • Reviews corrective action response • Determines whether to conduct on-site re-inspection | DAIG reviews corrective action response | DAIG reviews corrective action response. For failing external support deficiencies, DAIG: <ul style="list-style-type: none"> • Determines whether to conduct on-site review |

| | | | | |
|-----|--|--|--|--|
| | | <ul style="list-style-type: none"> Forwards memo identifying reinspection date to MACOM and inspected organization | | <ul style="list-style-type: none"> Forwards memo identifying reinspection date to supporting organization with copy furnished to MACOM and supported organization |
| 90 | 30 days after receipt of reclama | <ul style="list-style-type: none"> Appropriate HQDA offices review reclama DAMO-SSD or ASA (I&E) prepares and sends response to MACOM (copy to DAIG) | | <ul style="list-style-type: none"> Appropriate HQDA offices review reclama DAMO-SSD or ASA (I&E) prepares and sends response to supporting agency (copy to DAIG and MACOM of supported organization) |
| 120 | 60 days after receipt of written response from MACOM | DAIG conducts reinspection | Appropriate HQDA offices review reclama; DAMO-SSD or ASA (I&E) forwards reclama response to MACOM and DAIG | DAIG conducts reinspection |



Figure 6-1. Recommended Inspection Selection Process [Delete] [Source: TIGS]



Figure 6-1. The IG Inspections Process [Change to Figure 6-1]

Chapter 7

The Inspector General Assistance Function

7-1. Assistance function

- a. This chapter provides policy and guidance to IGs in the Active Army, the USAR, and the ARNGUS regarding the assistance function. ARNGUS IGs will refer to paragraph 7-7 for additional policy and guidance unique to the ARNGUS.
- b. For assistance in implementing policies and procedures in this chapter, contact TIGS and DAIG's Assistance Division. The functional proponent for IGARS is DAIG's Assistance Division.
- c. IGs providing assistance to complainants should use IG technical channels, to include the MACOM IG as well as DAIG's Assistance Division, as an information resource **when** handling specific case issues. **TIGS is also available as a resource for clarifying and explaining policy and doctrinal issues.**
- d. Army IGs will provide assistance on an area basis so that anyone can go to the nearest IG **office** to request help or information. (See paras 1-4b (3) and 1-4c (3).) In the absence of a MOA, Memorandum of Understanding (MOU), or support agreement between the commands and agencies involved or affected, the requirement **to provide support on an area basis ensures** IG coverage for routine assistance matters on local Army issues that the local Army IG is best suited to **resolve**. Routine assistance matters involving local issues presented by personnel assigned to Army organizations without assigned IGs (for example, the Assistant Secretary of the Army–Acquisition, Logistics and Technology, civilian personnel operations centers (CPOCs), Armed Forces Reserve Centers (AFRCs), and so forth), routine assistance matters involving local elements of Army organizations without assigned IGs, and routine assistance requirements involving local issues presented by personnel at locations geographically separated from their command IG fall within the **scope and intent** of these provisions for area support. **IGs will use technical** channels to coordinate efforts, **refer** cases, or resolve concerns regarding IG jurisdiction. **DAIG's Assistance Division (SAIG-AC) is the final authority for resolving jurisdictional issues.** If necessary, DAIG will address systemic issues involving those Army organizations without an IG and coordinate inspections or investigative actions **as necessary**. When processing a request for assistance, IGs **will do their best to protect** confidentiality. (See para 1-12.)

7-2. Definitions

Significant IG assistance function terms are defined in the glossary.

7-3. Conducting an assistance inquiry

- a. The IG assistance function begins with the receipt of an IGAR. IGs employ the IGAP, including selecting appropriate courses of action for the IGAR. (Contact TIGS for IGAP **doctrinal** guidance.) In many cases, IGs exercise both the assistance and investigations functions concurrently, especially when IGARs contain multiple issues. When IGs determine that a request for assistance is appropriate for IG action, they will use the assistance inquiry as the fact-finding process to gather the information needed to resolve the IGAR issue. The assistance inquiry is an informal fact-finding process used to address or respond to a complaint involving a request for help, information, or issues **but** not allegations of impropriety or wrongdoing. If statements are taken, they normally are not recorded or sworn. An assistance inquiry must be timely and thorough. It must provide the basis for responding to the issues raised in the IGAR and for correcting underlying deficiencies in Army procedures and systems. The assistance inquiry may simply provide the facts to answer a question from the complainant. IGs will document each IGAR in a case file that must contain evidence and/or information that supports the

conclusions reached as well as a copy or detailed summary of the response to the complainant.

- b. Unlike the IG investigative inquiry in which IGs must follow specific procedures, the assistance inquiry allows the IG to determine the best way to conduct the inquiry. The assistance inquiry process follows the seven-step IGAP (see chap 4) as follows:
 - (1) **Step One, Receive the IGAR.** Step one begins when an IG receives a request for assistance, a request for information, or a complaint or allegation, all of which constitute an IGAR. Anyone can submit a complaint, allegation, or request for information or assistance to any Army IG concerning a matter of Army interest. IGARs come from multiple sources: walk-ins, call-ins, write-ins, e-mail messages, faxes, and indirectly. The receiving IG will record all information received during step one on a DA Form 1559, which serves as the base-control document. The IG receiving the IGAR will always open a case in the IGARS database even if the case is not appropriate for IG action. If referred to an agency outside the chain of command, and determined not to be a case warranting continued IG interest, the IG will close the case. When referring a case to the chain of command that warrants continued IG interest, the IG will keep the case open to monitor the chain of command's actions and document those actions in the IGAR before closing the case. When opening or closing a case in the IGARS database, IGs must be careful not include in the database information from protected programs or other classified information. IGs must handle all sensitive and classified information in accordance with AR 380-5, AR 381-102, AR 380-381, AR 614-115, and AR 690-950-19-1. If an IGAR involves an individual or an issue associated with a SAP or SA, contact DAIG's Intelligence Oversight Division for further guidance.
 - (2) **Step 2, Conduct IG Preliminary Analysis (IGPA).** IG Preliminary Analysis (IGPA) is a process used by an IG to determine how best to proceed with a case. This process helps identify the issues and/or allegations, determines whether those issues or allegations are appropriate for IG action, acknowledges receipt to the complainant, and assists the IG in developing a course of action. It helps the IG determine who should resolve the problem and how to solve it. An IG is usually in IGPA until he or she selects a course of action. Many assistance cases require the IG to turn a matter of concern over to another individual or agency. This referral process requires the IG to be aware of the possible implications concerning the confidentiality of the complainant. Referring the complaint to another agency usually means the IG will need to follow-up to determine the action taken and whether or not it addressed the complaint. If the case is of continued IG interest, the IG will request that the individual or agency provide the response back to the IG. The IG reviews the response to ensure that each concern was addressed before the complainant receives a final response.
 - (a) **Analyzing for Issues and Allegations.** IGs will analyze the information presented by the complainant and determine whether that information is a systemic issue, an allegation of impropriety, a request for help (assistance), or a combination of two or more of these elements. The IG will determine the assistance requested and what issues or allegations the complainant presented. The IG must identify all requests for help and matters of concern, even if the complainant did not specifically mention them. The IG should contact the complainant to clarify the issues, allegations, or concerns. The IG may later refer the complainant to the chain of command or an appropriate staff agency for action. The IG will follow-up referrals of cases on matters of continued IG interest to ensure the complainant receives the appropriate assistance.
 - (b) **Issues.** An issue is a complaint, request for information, or request for assistance to the IG that does not list a who as the violator of a

standard or policy. If the information from the complaint has a who for the violator, then this complaint is an allegation, and the IG must conduct an investigative inquiry or investigation (see chap 8).

- (c) **Complaints.** A complaint is an expression of dissatisfaction or discontent with a process or system such as leave policies or the pay system. In some cases, the IG may not be able to assist the complainant with his or her complaint. The IG will conduct some teaching and training with the complainant and explain the role of the IG. Even though the IG knows that the complaint is not appropriate for the IG, the IG must still analyze the entire complaint for any issues and/or allegations. Many complaints presented to the IG will have an established appeal process. If so, the complaints are not appropriate for IG action until the complainant uses the established process. If the complainant is still dissatisfied, the IG can check the appeal action for due process.
 - (d) **IG Appropriateness.** As a rule, not all matters presented to the IG are appropriate for IG action. Examples of issues not appropriate for IG involvement would include serious criminal allegations (murder, rape, etc.) and issues that have other means of redress. Soldiers must seek the prescribed redress or remedy before an IG can provide assistance. If the soldier has used the available redress procedures, the IG will limit his or her review of the situation to determine if the soldier received due process by law or regulation. If the results of preliminary analysis indicate that the IGAR received is appropriate for IG action, the IG will accept the IGAR and open a case file. If not appropriate for IG action, the IG will still open the case, state why the issue is not appropriate for IG action, and state or explain what the IG did with the IGAR. IGs will advise complainants of the appropriate agency that can resolve the complaint and normally allow complainants to present their issues to that agency directly.
 - (e) **Acknowledge Receipt.** IGs will properly acknowledge receipt of all IGARs. IGs acknowledge, orally or in writing, individual complaints, allegations, or requests for assistance. In acknowledging a request, inform the complainant that he or she will only receive information on the results of the inquiry or investigation that affect him or her directly and personally. Replies to third parties must not violate an individual's right to privacy. The IG will obtain a signed Privacy Act release authorization from the individual about whom the complaint is made before releasing any information about the case.
 - (f) **Select a Course of Action.** IGs will determine the appropriate courses of action (IG inspection, assistance inquiry, investigative inquiry, or investigation) for each complaint, issue, and allegation determined in the IGAR. IGARs often contain issues that result in more than one course of action.
- (3) **Step 3, Initiate Referrals and Make Notifications.**
- (a) **Initiating Referrals Inside the Chain of Command.** IGs may refer complaints to the chain of command or outside the chain of command. When referring complaints to the chain of command, the chain of command has the responsibility and the authority to address the complaints. Where appropriate, the IG will refer matters to the chain of command. If the matters are of continued IG interest, the IG will monitor these matters to ensure that the chain of command takes proper action.
 - (b) **Initiating Referrals Outside the Chain of Command.** The IG may elect to refer the issue to the appropriate agency on behalf of the complainant, but be mindful of confidentiality concerns. Provide the necessary

information to the agency, and determine whether or not to monitor the action until completion.

- (c) *Initiating Referrals to Other IG Offices.* The IG may decide that another IG office is best suited to handle a particular issue due to jurisdictional or other reasons. The IG may refer the issue to the other IG office and retain status as the office of record; in this case, the other IG office becomes the office of inquiry. These referrals may only occur within a vertical echelon of command such as MACOM to corps to division. The IG will only close the case once the office of inquiry has reported their fact-finding results. The IG may also refer the issue along with office-of-record status to another IG office within the vertical echelon of command or horizontally to another command echelon and then close the case in IGARS. In all cases, the receiving IG office must agree to accept the referral. (See para 4-7d.)
- (4) *Step 4, Conduct IG Fact-Finding.* The assistance inquiry is an informal fact-finding process used to address or respond to a complaint involving a request for help, information, or issues and not allegations of impropriety or wrongdoing. The IG must evaluate the facts and evidence received to ensure that all issues were addressed before responding to the complainant. The information provided to the IG must lead to a reasonable conclusion or recommendation. The inquiry findings will be the basis for the notification to the complainant as well as the final reply. When an IG interviews a person, the IG may record impressions of the person's attitude, sincerity, and truthfulness. The IG will enter these observations in the IGAR file and will clearly indicate that they are IG opinions.
- (5) *Step 5, Making Notification of Results for an Assistance Inquiry.* At the completion of the assistance inquiry, the complainant will be notified and informed of the results. The IG will only provide information pertaining to the complainant regarding actions taken. Remember: a third party is only authorized by law to receive information directly pertaining to him or her without prior consent from the complainant. IGs will annotate all notifications made in the case file using case notes and then record that information in the IGARS database. The IG must specify if the notification occurred verbally or in writing.
- (6) *Step 6, Conduct Follow-up.* Follow-up ensures that all issues and/or allegations have been thoroughly addressed and all of the IG's responsibilities have been fulfilled. Follow-up will include a review of issues and/or allegations previously addressed to determine if further appeal procedures are available or if the IG should examine due process for the complainant. IGs may personally conduct follow-up or address the issues and/or allegations during a staff assistance visit (SAV) or during future IG inspections. An IG's case is not closed until all appropriate actions are completed.
- (7) *Step 7, Close the IGAR in the IGARS Database.* In closing the file, IGs will ensure that all relevant documentation is present and review all issues and allegations to ensure that they have been addressed appropriately. IGs will ensure that the synopsis entered into the IGARS database includes an evaluation of the facts and evidence examined and a conclusion that the issues were "Founded" or "Unfounded" (see para (a) below). Each issue must have an accompanying function code that is appropriately descriptive and that the determination is coded (A) for assistance. Closing an IGAR also consists of providing the complainant with a final reply that details the IG's final determination as it pertains to the issues presented in the IGAR. The final response to the complainant will be in writing and contain only the information pertaining directly to the complainant. The IG will annotate this action in the case file. IGs who register One-Minute IGARs into the IGARS database will not respond in writing upon closing the IGAR.

- (a) ***Close the IGAR in the IGARS Database.*** In closing the file, ensure that all relevant documentation is present and included in the file. Review all issues and allegations to ensure that they have been appropriately addressed. The synopsis is the final item entered into the IGARS database. Each issue must be annotated as either "Founded" or "Unfounded" within the synopsis depending upon what the IG learned during fact-finding. (See glossary.) "Founded" means that the IG's inquiry into the issue determined that the problem or complaint had merit and required resolution. "Unfounded" means that the IG's inquiry into the issue or complaint yielded no evidence to prove that a problem existed for the IG to resolve. (See glossary.) The next step in closing the IGAR is to code the case. The function code selected identifies the areas where the IG received complaints, allegations, and requests for help (assistance). IGs may also use the ROI format. (See para 8–7.) This format provides a logical and disciplined presentation of information or evidence that leads to a justifiable conclusion. Likewise, the determination codes are also important to understanding what the data is showing. Each request for assistance will be coded assistance (A) to indicate that the IG provided advice or guidance, resolved a request for assistance, or referred the complainant to an agency other than the IG to resolve the problem.
 - (b) ***Making Appropriate Reports.*** Appropriate reports are based upon the local IG standing operating procedures (SOP).
 - (c) ***Analyze for Developing Trends.*** The final process in closing an IGAR is analyzing trends that may be developing. The IG's objectives are to identify trends that affect the command and to identify and correct systemic problems or potential problem areas.
- c. A complainant may voluntarily withdraw an IGAR at any time. The IG will not suggest that a complainant withdraw an IGAR; however, if the complainant desires to do so, the IG will request the withdrawal from the complainant in writing. IGs **must** be concerned that reprisal **was or was not** a factor in the request for withdrawal. IGs will question the complainant to ensure that reprisal has not occurred. When **a complainant withdraws** an IGAR, the commander or detailed IG may elect to continue to process some or all of the IGAR to address deficiencies in Army procedures or systems or to address an impropriety that developed after processing the IGAR has begun.
- d. **Many complainants will have strong emotions regarding the issues or problems they present to the IG. Complainants have, on occasion, displayed those emotions as anger or resentment directed at the IG. All complainants, however, must behave properly and adhere to appropriate professional or military courtesy as necessary when presenting their IGARs to the IG. IGs should advise complainants who become verbally abusive, disrespectful of military rank and authority, or threatening in any other manner that such behavior is unacceptable. In appropriate cases, IGs may have to caution the complainant that continued abusive, disrespectful, or threatening behavior may be brought to the attention of the appropriate command or supervisory authority. IGs must be cautious, however, to avoid referring the matter of abusive, disrespectful, or threatening behavior to a command or individual or at a time that might result in a reprisal against the complainant as defined by the whistleblower protections. If the IG makes such a referral, he or she must ensure that the referral occurs for the abusive, disrespectful content or conduct and not for the protected—lawful—communication with the IG. Abusive, threatening, or disrespectful language is unlikely to constitute a lawful communication. However, IGs should carefully weigh the severity of the abusive, disrespectful, or threatening conduct against the potential effect on the IG system and on the complainant's right to make a protected communication before referring such behavior for disciplinary action.**

7-4. Actions pertaining to certain types of Inspector General Action Requests

- a. *Pay-related IGARs.* If the local finance office cannot resolve pay complaints, the IG should contact the Defense Finance and Accounting Service (DFAS) IG for assistance. The DFAS IG will either accept the case or inform the local IG to refer the case to one of the appropriate DFAS centers listed below:
 - (1) Active Duty Pay - Indianapolis (**DSN 699-3243/4288**)
 - (2) Reserve Pay - Indianapolis (**DSN 699-3243/4288**)
 - (3) Retiree Pay (military and civilian) - Cleveland (**DSN 580-5955**)
 - (4) Annuitant Pay - Cleveland (**DSN 580-5955**)
 - (5) Garnishment - **Cleveland (DSN 580-5301)**
 - (6) Vendor Pay - Indianapolis (**DSN 699-5286**)
 - (7) Civilian Pay - **Denver (DSN 483-6500/6498)**
- b. *Soldier nonsupport of family members or private indebtedness.*
 - (1) If a family member **complains about a** lack of basic needs such as food or shelter, the IG **will** ensure that the family's immediate basic needs are met. **The IG will contact the appropriate military support agency and the appropriate commander so that they may assist the complainant with basic needs from both military and civilian resources. The IG will directly oversee this process until the family's immediate needs are satisfied.**
 - (2) Resolving nonsupport and indebtedness claims is a command responsibility; the IG's primary role is to ensure that the commander is aware of **all** complaints and takes appropriate action. AR 608–99, as applicable, establishes the commander's responsibilities in nonsupport cases. **The Judge Advocate General (TJAG) is the proponent for AR 608-99. As such, IGs may coordinate nonsupport issues with the servicing SJA.**
 - (3) AR 600–15 prescribes the commander's actions for private indebtedness cases. An IG becoming involved with these matters will determine if the complainant has forwarded the complaint to the soldier's commander. If not, the IG should offer assistance in formulating and properly routing the complaint. If the complainant has already initiated appropriate action, the IG should continue only if the commander has not responded satisfactorily. In that case, the matter should be handled in IG channels only to the extent necessary to ascertain if the commander fulfilled obligations required by law and regulation.
- c. *Civilian Personnel Operations Centers.*
 - (1) **OCONUS.** OCONUS Civilian Personnel Operations Centers (CPOCs) fall under the responsibility of the MACOM. The local IG may provide assistance as stated in paragraph 7–1 and use IG channels to coordinate efforts or hand off cases, to resolve concerns regarding IG jurisdiction if necessary, to contact the MACOM IG regarding systemic issues involving CPOC operations, and to coordinate inspections and investigate actions.
 - (2) **CONUS.** CONUS CPOCs fall under the responsibility **of the U.S. Army Civilian Human Resources Agency, a field operating agency of Army G-1.** The local IG may provide assistance as stated in paragraph 7–1 and use IG channels to coordinate efforts or hand off cases, to resolve concerns regarding IG jurisdiction if necessary, to contact DAIG regarding systemic issues involving CPOC operations, and to coordinate inspections and investigate actions.
- d. *Contractor activities.* IGs must analyze the substance of complaints and requests for assistance from contractors **and their employees who are** involved in commercial, procurement, or contracting **activities on behalf of the Army** to determine if they are appropriate for IG action. Contractor activities normally **fall** within the jurisdiction of other established avenues of redress. **Coordination with the Contracting Officer Representative (COR) as well as with the command's supporting SJA, general counsel, or DAIG's Legal Advisor is advisable when determining how best to resolve a contractor IGAR.**

7-5. Acting inspectors general

- a. Acting IGs (AIGs) may be appointed to extend the IG assistance function to soldiers, family members, and DA civilian employees who do not have reasonable access to a detailed IG or assistant IG. AIGs are most commonly appointed to give IGs access to remote locations. The appointment of AIGs is discussed in paragraph 2–2.
- b. AIGs will only process requests for assistance of a personal or administrative nature. Examples of the types of assistance appropriate for an AIG to handle are pay problems, loss of household goods, and obtaining an identification card for a spouse. The AIG may conduct a limited assistance inquiry to help the complainant. For example, the AIG may call DFAS to obtain information to help a complainant with a pay problem.
- c. An AIG who receives a complaint or request for assistance for an issue that is not a routine administrative problem will **pass** the request to the office of the supervising detailed IG for action. The AIG may listen to the complainant and record the IGAR but must advise the complainant that the detailed IG will process it.
- d. The supervising detailed IG may task an AIG to collect documents available at the acting IG's location for an inspection, inquiry, or investigation and to assist in making administrative arrangements for an inspection, assistance, or investigation team. An AIG's support for the IG inspections, assistance, and investigations functions will not exceed providing this kind of limited administrative help.

7-6. Assistance visits

- a. IGs may conduct assistance visits to subordinate commands to evaluate the assistance function locally, identify or prevent problems with DA or local policies, assist soldiers and Army civilian employees and their families, assist subordinate IGs and the chain of command, and assess the pulse of the command.
- b. Higher headquarters (HQ) IGs will coordinate with subordinate command IGs prior to an assistance visit. Normally, the coordination will occur 90–120 days prior to the visit but should be completed within the time frames required by the headquarters being visited. The visiting IGs will normally invite the subordinate command IGs to accompany the higher HQ IG team.
- c. An assistance visit may include the following:
 - (1) Arrival and exit briefings with the commander or chief of staff.
 - (2) Tour of the installation and unit facilities and visits with the staff.
 - (3) Evaluation and discussion of the IG assistance mission and other issues of interest to commanders.
 - (4) IGAR **receipt** sessions.
 - (5) Soldier, family member, and Army civilian employee seminars or sensing sessions.
 - (6) Interviews with commanders, command sergeants major, managers, and supervisors.

7-7. Assistance policy for National Guard personnel

- a. *National Guard personnel; Federal and non-Federal interest.* **IGs will process** IGARs submitted by ARNGUS personnel **based upon their individual status** and that involve matters of Federal interest with the cooperation of, and in coordination with, the State AG using the procedures outlined above. **IGs will process** matters involving non-Federal interest as prescribed by the State AG. IGARs submitted by ANG personnel are addressed in paragraph 1–10.
- b. *EO complaints.* EO discrimination complaints made by members of the NG on the basis of race, color, national origin, gender, or religion will be processed under NGB guidance rather than **the IG assistance function**.
- c. *Responses to Congress.*
 - (1) If a NG IG receives an inquiry directly from a MC and there is no indication that the MC has contacted OCLL or DAIG on the same issue, the NG IG may respond directly to the MC as is customary in that State for handling congressional replies. IGs will contact DAIG's Assistance Division to confirm that DAIG has not received a parallel complaint from OCLL. If DAIG received a parallel complaint, the NG IG will provide DAIG with a copy of the response to the Member of Congress.

(2) When there is an indication that OCLL or DAIG has been contacted, the IG will forward the completed report through NGB to DAIG's Assistance Division.

d. Responses to State officials. If a State IG receives inquiries directly from the governor of their state and/or state representatives/senators, the State IG may respond directly to the state official as is customary in that state for handling state inquiries.

Chapter 8

The Inspector General Investigations Function

8-1. Investigative fact-finding processes

- a. Significant terms for the IG investigations function are defined in the glossary.
- b. The IG investigations function encompasses two fact-finding methodologies.
 - (1) An IG investigation is a fact-finding examination by a detailed IG into allegations, issues, or adverse conditions to provide the directing authority a sound basis for decisions and actions. IG investigations address allegations of wrongdoing by an individual as authorized **by the directing authority through the use of** written directives.
 - (2) An investigative inquiry is the fact-finding process followed by IGs to gather information needed to address allegations of impropriety against an individual that can accomplish the same objectives as an IG investigation. Command and State IGs normally use this investigative process when the involvement of the directing authority is not foreseen. This **approach** does not preclude directing authorities from directing an investigative inquiry. The command or State IG typically directs the investigative inquiry and provides recommendations to the commander or to subordinate commanders as appropriate. The investigative inquiry is the primary fact-finding process used by IGs to address allegations **of impropriety**.
 - (a) An assistant IG may assist a detailed IG in the conduct of an investigation. Assistant IGs may conduct investigative inquiries within the limits prescribed at paragraphs 2–2*d* and 8–4 of this regulation. An acting IG may provide only limited administrative assistance.
 - (b) If a legal issue is involved, IGs should first contact their servicing SJA or Command Judge Advocate before seeking the advice of DAIG's Legal Advisor.

8-2. Duties of inspector general investigators

- a. IG investigators—
 - (1) Conduct IG investigations and investigative inquiries in accordance with the policy and procedures **outlined** in this regulation. For additional information, IGs may contact DAIG's Assistance or Investigations Division. **IGs may refer** questions pertaining to specific cases directed by TIG to DAIG's Assistance Division. TIGS also publishes **a doctrinal guide that outlines procedures** for implementing the investigative policies **described in** this chapter.
 - (2) Make or obtain conscious decisions on the disposition of all allegations **and issues**. **IGs will not discard an allegation solely because it appears frivolous, unimportant, not relevant to matters under investigation, or is subsequently withdrawn by the complainant.**
 - (3) Obtain evidence sufficient to determine that an allegation is either substantiated or not substantiated **or an issue is founded or unfounded**. The preponderance of credible evidence is the standard of proof IGs use to substantiate or not substantiate allegations. Preponderance is defined as superiority of weight **and implies that the alleged impropriety probably occurred**. **Craft the wording of** allegations carefully; a substantiated allegation must always represent an impropriety. (See definition of allegation at glossary.)
 - (4) Include in the Report of Investigation (ROI) or Report of Investigative Inquiry (ROII) a complete, objective, and impartial presentation of all pertinent evidence gathered during the investigation/inquiry. The report, **with its enclosures**, should stand alone and be understandable to anyone who reads it. (See para 8–7 for additional discussions of ROI/ROII.)
 - (5) IGs do not recommend adverse action against an individual. IGs are fact-finders who present the facts to the directing/approving authority in a ROI/ROII. The ROI/ROII will not contain recommendations for adverse action against an individual. However,

administrative action to correct a mistake (for example, recovery of an improper TDY payment) may be part of an IG investigation recommendation. The IG may assist the directing authority by consulting with the SJA, USACIDC, Military Police Investigator (MPI), other staff activities, or subordinate commanders and present their recommendations to the directing authority.

- (a) IG records will not be used as the basis for adverse actions unless approved by TIG. (See para 3–3.)
- (b) The directing/approving authority must consider the possible adverse consequences of employing the ROI/ROII as the basis for an adverse action (see glossary). An individual against whom adverse action is contemplated has due-process rights that may require the release of confidential testimony, personal information, and deliberative material (opinions, conclusions, and recommendations of investigations). Such release might compromise the integrity of the IG System and the IG's ability to serve the commander as an impartial, confidential fact-finder.
- (6) Report systemic problems **and personal misconduct** discovered during investigative activities to the appropriate authority and follow up to ensure corrective action is taken.
- b. In all investigative activities, IGs will be sensitive to actual and potential concerns that people have about keeping both the fact and extent of their involvement confidential. (See paras 1–12 and 3–6.)
- c. IGs will close the case using the ROI/ROII format outlined in this regulation at paragraph 8–7. One of the IG recommendations should be to “close the case” or “turn the case over to a follow-on investigator” as appropriate.

8-3. Jurisdiction

- a. IGs may investigate or conduct investigative inquiries into allegations of the following:
 - (1) Violations of policy, regulation, or law.
 - (2) Mismanagement, unethical behavior, fraud, or misconduct that, if true, may be of concern to the directing authority.
- b. IGs should not normally investigate or conduct investigative inquiries when—
 - (1) The alleged impropriety is of a nature that, if substantiated, would likely constitute criminal misconduct. Many allegations of acts or omissions can theoretically be seen as criminal insofar as they could be phrased as a dereliction of duty, violation of a regulation, or conduct unbecoming an officer, but that fact does not necessarily preclude an IG investigation or inquiry. The directing authority may still direct the IG to conduct an investigation or inquiry. IGs will coordinate or consult with the appropriate legal advisor in cases of this nature and with USACIDC officials if appropriate.
 - (2) Substantiation of allegations appears certain at the outset of the IG's analysis of the IGAR and that certain adverse actions against individuals will occur. An example is the criminal allegation of assault that is punishable under the UCMJ. (See paras 3–3 and 8–10 and AR 195–2, app b.)
 - (3) The Army has an established means of redress. (See para 4–4j.)
 - (4) The chain of command decides to address the issues and allegations. If a subordinate commander has the ability to conduct a commander's investigation or inquiry, the IG should afford the subordinate commander the opportunity unless otherwise directed by the IG's commander and directing authority (see paras 1 and m below).
 - (5) **The allegations involve professional misconduct by an Army lawyer, military or civilian. IGs will refer such allegations through DAIG's Legal Advisor to the senior counsel (for example, The General Counsel of the Army, TJAG of the Army, the Command Counsel of the U.S. Army Material Command (AMC), or the Chief Counsel of the U.S. Army Corps of Engineers) having jurisdiction over the subject lawyer for disposition. If an allegation does not present credible evidence that raises a substantial doubt about the lawyer's honesty,**

- trustworthiness, or fitness to practice law, then DAIG's Legal Advisor may, after consultation with the senior counsel of the lawyer concerned (or a designated representative), may recommend the action be returned to the initiating IG without investigation by the senior counsel involved. If credible evidence is presented, then the entire portion of the IG record that is relevant to the allegation against the lawyer will go to the senior counsel having jurisdiction over the subject lawyer. TIG or DTIG approval is not required. If the senior counsel intends to incorporate into the final report on these allegations any part of the IG record, then TIG or DTIG approval is required.
- (6) The allegations involve mismanagement by a member of the Judge Advocate Legal Service serving in a supervisory capacity at the time of the alleged mismanagement. IGs will refer such allegations through DAIG's Legal Advisor to the Executive, OTJAG, for disposition under the provisions of AR 27-1. If a complaint is not credible, then DAIG's Legal Advisor, after consulting with the Executive, OTJAG, may recommend the action be returned to the initiating IG without investigation by the senior counsel involved. If a complaint is credible, then the entire portion of the IG record that is relevant to the allegation against the lawyer will go to the Executive, OTJAG. TIG or DTIG approval is not required. If the Executive, OTJAG, intends to incorporate into the final report on these allegations any part of the IG record, then TIG or DTIG approval is required.
- c. The SA has authorized TIG to investigate all Army activities. Only the SA, Under Secretary of the Army (USofA), CSA, VCSA, and TIG may direct DAIG investigations. Heads of HQDA agencies, commanders, and State AGs may request that TIG conduct an investigation, but they are not authorized to direct TIG to do so. In accordance with paragraph 1-4b (5), TIG may direct a command or State IG to conduct inquiries or investigations.
- d. Commanders whose staffs include a detailed IG may direct IG investigations into activities within their command. Detailed IGs are authorized to inquire or investigate within their organizations and activities as specified by their directing authority and this regulation. IGs may conduct investigations and inquiries **at tenant units belonging to other MACOMs** after **coming to a** mutual agreement between the IG and the tenant unit's MACOM IG.
- e. State AGs whose States have detailed IGs may direct IG investigations or inquiries into Federally related activities within their States, to include both Army National Guard and Air National Guard matters. (See para 1-9.)
- f. **IGs may investigate** allegations against subordinate commands or commanders within the IG's sphere of activity as directed by the IG's commander (directing authority). **IGs will forward** allegations against the IG's command or commander to the next higher IG for disposition unless the commander is a general officer or senior civilian. **(See paras i and j below for exceptions.)**
- g. **IGs will report to TIG (SAIG-AC) within 2 working days after receipt by confidential means any** IGAR containing an allegation against a MSG, **1SG**, SGM, CSM, or any Army officer in the grade of major through colonel that has resulted in the initiation of an IG investigation, investigative inquiry, or a command-directed action (for example, AR 15-6 investigation, commander's inquiry, UCMJ action, and so forth). (See paras 1-4b (5) (b) and 4-6c.)
- h. **IGs will report** by confidential means **all** allegations against IGs **(uniformed and civilian)** to the next higher echelon IG for appropriate action within 2 working days after receipt. **IGs will forward** an information copy of the report (with the IGAR, allegation, and the complaint attached) to **both** TIG (SAIG-AC) and the MACOM IG concurrently with the report to the next higher echelon IG. TIG retains the authority to investigate the allegation under the provisions of paragraphs 1-4a (12) and (15) (d). Command and State IGs will notify TIG of any anticipated command or IG action before **attempting to resolve** the allegation. The nature of the allegations will determine which IG office or level of command will conduct the investigation. The MACOM IG will consult with DAIG's

Assistance Division to determine the best course of action to resolve the allegation and inform Assistance Division of the assessment and recommendations.

- (1) TIG concurrence must be obtained for appropriate action (inquiry or investigation) to resolve these allegations before such actions are initiated.
 - (2) If the allegations involve violations of AR 20–1 or IG policy, the next higher IG, in coordination with DAIG's Assistance Division, will normally conduct the inquiry or investigation.
 - (3) If the allegation deals with misconduct or other non-IG related offenses, the command may relieve the IG for cause and use other investigative methods (for example, AR 15–6 investigation) or administrative actions to determine the facts of the case after coordinating with DAIG's Assistance Division.
- i. IGs will conduct investigations of allegations of improprieties by general officers, **promotable colonels**, and senior civilian employees of the Army as follows:
- (1) Only the SA, USofA, CSA, VCSA, and TIG may authorize or direct an IG inquiry or investigation into allegations of improprieties or misconduct by general officers, **promotable colonels**, and civilian employees of SES or equivalent grade or position. As a matter of Army policy, when such allegations are suspected against a senior official or found during an ongoing inquiry or investigation conducted by non-IG sources (for example, Commander's Inquiry, AR 15–6, or USACIDC or similar investigations), the commander or command concerned shall halt the inquiry or investigation and report any and all such allegations directly to DAIG's Investigations Division for further action. As an exception, equal employment opportunity and **Anti-Deficiency Act** inquiries or investigations may continue even if they involve senior officials provided that DAIG has been notified.
 - (2) Commanders or IGs must forward directly to DAIG's Investigations Division by confidential means any and all allegations of impropriety or misconduct (including criminal allegations) against general officers (including ARNGUS, USAR, and retired general officers), **promotable colonels**, and senior civilians within 2 working days of receipt. IGs will not **open an IGAR** or conduct any fact-finding into the nature of the allegations unless authorized by TIG, DTIG, or the Chief of DAIG's Investigations Division. **Special Governmental Employees (SGEs) are not considered to be "DA civilian employees of comparable grade or position" under this regulation; IGs handle complaints against SGEs using normal IG procedures (see para 1-4b (5) (e)).**
 - (3) IGs who receive allegations of impropriety against general officers and senior civilians may tell their commanders the general nature of the allegations and the identity of the persons against whom the allegations were made but will first contact DAIG's Investigations Division for advice. An open investigation may already exist, and DAIG may have already informed the commander. To help protect the complainant's confidentiality, do not reveal either the source or specific nature of the allegations. TIG will ensure commanders; MACOM IGs; **Chief, Army Reserve (CAR)**; and CNGB receive additional information as appropriate. (See para 1–12.)
 - (4) If the IG who receives the allegation works for the subject of the allegation, or if questions arise, the IG will contact the Chief of DAIG's Investigations Division for guidance. The intent of this procedure is to allow DAIG to notify the commander to **avoid** placing the IG in an ethical dilemma. See appendix D for additional information for procedures for investigations of allegations against senior officials.
 - (5) Address questions to The Inspector General (ATTN: SAIG–IN), 1702 Army Pentagon, Washington, DC 20310–1702, or The Inspector General (ATTN: SAIG–ZXL), **2511 Jefferson Davis Highway, Arlington, Virginia 22202-3912.**
- j. **IGs will** forward allegations against PMs or PEOs who are general officers or DA civilian employees of SES or equivalent grade to DAIG's Investigations Division in accordance with paragraph 8–3*i*. If allegations are made against the PM or PEO staff, the IG of the supporting **Lifecycle Management Command (LCMC)** will normally conduct the IG inquiry or IG investigation (see para 1–4b (5)). The PM or PEO will be told the general nature of the allegation and the identity of the individual against whom the allegation has

- been made. At the conclusion of the investigation, the PM or PEO may be informed of the results of the investigation or inquiry when appropriate. Final approval authority for the ROI or ROII remains with the directing authority.
- k. **IGs will forward allegations concerning whistleblower reprisal and/or improper mental health evaluation referrals through the MACOM IG** to DAIG's Assistance Division within 2 working days.
 - l. When an allegation is referred to a commander, the Criminal Investigation Division (CID), the Department of the Army, or a non-Department of the Army agency, IGs will process the IGAR in accordance with the doctrine developed by TIGS in coordination with DAIG's Assistance Division. This written guidance is available from TIGS.
 - m. Directing authorities may, at any time, terminate an IG inquiry or investigation that they directed. When termination occurs, the IG conducting the inquiry or investigation will process the IGAR in accordance with procedural guidance outlined by DAIG's Assistance Division (SAIG-AC).

8-4. Conduct of inspector general investigations and investigative inquiries

- a. The IG investigations function includes IG investigations and IG investigative inquiries, which IGs commonly conduct to resolve allegations of individual wrongdoing. Detailed IGs conduct IG investigations, which are limited to the matters approved by the directing authority. Detailed IGs will actively **lead** IG investigations and will not permit assistant IGs **who are assisting in the investigation** to conduct the investigation **alone and unsupervised**. A detailed IG who allows an assistant IG to gather all the evidence and then reviews and approves the assistant IG's work is not actively involved with the investigation. IGs will write all IG reports of investigation and investigative inquiry in the IG investigations format addressed in paragraph 8-7. **The decision to conduct IG investigations and investigative inquiries results from Step 2, Conduct IG Preliminary Analysis (IGPA). (See para 7-3 b (2).)**
- b. An IG investigation is a formal fact-finding process that incorporates the following procedures.
 - (1) Obtain a written directive from the directing authority (see the glossary for the definition of directive **and directing authority**) and enclose it in the ROI. Normally, the detailed IG responsible for the investigation will obtain the directive from the directing authority.
 - (2) Verbally notify appropriate commanders or supervisors and the subjects or suspects of the investigation and inform them of the nature of the allegations. IGs will document the notifications and enclose them in the ROI.
 - (3) Develop a **written** investigative plan **that includes the following elements:**
 - (a) Witness list that includes the complainant, subject-matter experts, and the subject/suspect.**
 - (b) Interview sequence.**
 - (c) Witness schedule.**
 - (d) Interview format.**
 - (e) Time and place of each interview.**
 - (f) Questions.**
 - (4) Gather evidence and take sworn and recorded testimony. Comply with the Privacy Act and Freedom of Information Act notices and render rights warnings when required. The detailed IG must participate in these processes.
 - (5) Evaluate the evidence and write the ROI.
 - (6) Obtain a written legal review of the ROI from the supporting judge advocate.
 - (7) The command or State IG will then gain the approval of the ROI from the directing authority.**
 - (8) Notify the appropriate commanders or supervisors, complainant (only allegations directly pertaining to the complainant), and subjects or suspects of the approved results of the investigation in writing and enclose the notifications in the ROI/case.
- c. The IG investigative inquiry is less formal than an IG investigation and is used when there is an allegation, **issue, or adverse condition** that does not warrant a **full** investigation.

- IGs will conduct the investigative inquiry **in the same manner as** an IG investigation (see para **b above**) with the following exceptions:
- (1) The command or State IG may direct the investigative inquiry.
 - (2) Witness statements and testimony are not required to be sworn and recorded. The use of interview guides is optional but recommended (especially for subjects and suspects) to ensure that due process is afforded and rights are protected.
 - (3) The directing authority or the command or State IG will approve the ROII (see para 8–7c).
 - (4) The IG will document the actions outlined in paragraphs (1) through (3) above **and paragraph 8-4 b (6)** and enclose them in the ROII.
- d. If the allegation(s) in the IG investigation/investigative inquiry is substantiated, all Army IGs **must** formally notify the subject/suspect in writing as to the conclusions **and inform that person on the procedures necessary to obtain copies of the ROI/ROII under FOIA.**
- e. **The directing authority will approve all substantiated allegations that appear in a ROI/ROII to ensure that the IG's conclusions receive a responsible level of scrutiny.**
- f. Expanding the scope of an IG investigation or investigative inquiry, or adding additional allegations or individuals not originally addressed in the beginning of the investigation, requires approval of the directing authority or command or State IG who initially directed the action. If the IG discovers matters requiring investigative action that are totally unrelated to an ongoing IG investigation or inquiry, the IG will report them to the directing authority for appropriate action.
- g. In most IG investigations and investigative inquiries, IGs will obtain evidence from documents and witness interviews. IGs always seek the best available evidence through the collection of relevant documents and interviews with the best witnesses (first-hand witnesses). The best evidence from individuals is sworn and recorded testimony by persons with direct knowledge. Evidence of a lesser quality, such as memoranda of conversations, handwritten notes, unsworn statements, and second-hand information (hearsay) is also acceptable. The IG will weigh this type of evidence accordingly. **IGs will not consider evidence that is privileged under the Manual for Courts Martial, Military Rules of Evidence (MRE), as follows: communications between a lawyer and client (MRE 502), privileged communications with clergy (MRE 503), the husband-wife privilege (MRE 504), the political vote privilege (MRE 508), deliberations of courts and juries (MRE 509), and the psychotherapist-patient privilege (MRE 513). In addition, IGs will not use evidence derived from the illegal monitoring of electronic communications in violation of 18 USC 2511. Furthermore, IGs may not use in any IG inquiry or investigation evidence derived from other evidence procured in violation of 18 USC 2511 pursuant to 18 USC 2515.**
- h. IGs will use interview guides when conducting interviews as part of an IG investigation. The interview guides are also recommended for use during investigative inquiries. Interview guides are formal scripts used by IGs while conducting interviews; IGs will read these scripts verbatim during the interviews. The guides ensure technical correctness and that the IG addresses all relevant areas that all witnesses, subjects, and suspects must know as part of the IG interview process. Guides for conducting pre-tape briefings, read-ins, and read-outs **are available in the appropriate doctrinal publications published by TIGS.** The guides are designed specifically to address those elements necessary to due process based upon the person's status in the interview. The essential elements of these guides are—
- (1) *Pre-tape briefing (part I).* The pre-tape briefing explains the investigative procedure, the IG investigator's role, the ground rules for the interview, and other administrative elements of the interview prior to starting.
 - (2) *Read-in (part II).* Use the appropriate interview guide depending **upon** each individual's status. Each interview guide differs slightly depending on the status of the person the IG is interviewing.
 - (3) *The questioning phase of the interview (part III).* This phase will be the major part of most interviews and consist of the questions relevant to the allegations.

- (4) *The read-out (part IV)*. The IG will read this script verbatim and conclude the interview.
- i. Persons who provide testimony in IG investigations and inquiries **and their counsel, if present**, will not record their testimony by tape or any other means. **The purpose of this restriction** is to protect the confidentiality of the witnesses, subjects, and suspects to the maximum extent possible. After the IG investigation or investigative inquiry is completed and the directing authority has taken final action, witnesses, suspects, and subjects may obtain copies of their transcribed testimony by following the procedures in paragraph 3–7. Witnesses, suspects, subjects, **and their counsel** may read their transcribed testimony prior to completion of the investigation or investigative inquiry but may not retain a copy. **This review is limited to an accuracy review of the recording and the transcription. Any efforts to clarify, modify, or add to testimony will take place only through a subsequent interview or in sworn, written statements at the discretion of the investigator.**
 - j. To protect confidentiality of IG investigations and the rights, privacy, and reputations of all people involved, IGs will ask people with whom they speak during notifications and interviews not to disclose the matters under investigation or inquiry and not to discuss them with anyone except their own personal counsel if they consult one without permission of the IG. IGs will not withhold permission for defense counsels to interview witnesses about matters under investigation, but IGs will not provide defense counsels with the names of IG witnesses because of IG confidentiality requirements. Defense counsels must find these witnesses through their own procedures.
 - k. IGs will use only **the investigative conclusions outlined below**. These conclusions will contain the specific allegation(s) **and issue (s)** and state that the allegation **or issue** occurred (substantiated **or founded respectively**) or did not occur (not substantiated **or unfounded respectively**). These conclusions will establish the IG's findings regarding violations by a specific individual of an established standard and will not be vague statements.
 - (1) Substantiated: The IG will use the conclusion of "substantiated" when a preponderance of credible evidence, as viewed by a reasonable person, exists to prove the allegation.
 - (2) Not substantiated: The IG will use the conclusion of "not substantiated" when a preponderance of credible evidence, as viewed by a reasonable person, does not exist to support the allegation.
 - (3) IGs will not use "neither substantiated, **founded**, nor refuted" as a conclusion.
 - (4) IGs will not use the terms "partially substantiated", "**partially founded**", "**without merit**", or "substantiated in part".
 - (5) **Founded: The IG will render a conclusion for issues associated with the allegation(s) in the ROI that had merit or required resolution. (See para 7-3 b (7).)**
 - (6) **Unfounded: The IG will render a conclusion for issues associated with the allegation(s) in the ROI that lacked merit and did not require resolution. (See para 7-3 b (7).)**
 - (7) **Closed Without Findings: IGs will consider an allegation or issue as closed without findings when the inquiry or investigation is terminated prior to conclusion due to the following special circumstances:**
 - (a) **The allegation or issue relates to actions that are more than 3 years old. The IG will document the relevant time periods and close the case without findings.**
 - (b) **A legal process such as a court order or a settlement between the U.S. Government and a subject and/or complainant includes a requirement to terminate all on-going inquiries or investigations. The IG will obtain a copy of the order or settlement, include it in the case file, and record the matter as closed without findings.**

8-5. Discussion of rights

- a. A witness is a person who saw, heard, knows, or has something relevant to the issues under investigation and who is not a subject or suspect. A subject is a person against whom noncriminal allegation(s) have been made such as a violation of a local policy or regulation that is not punitive. A suspect is a person against whom criminal allegations have been made (the alleged acts are violations of punitive articles of the UCMJ, punitive sections of regulations, or other criminal laws). A person may also become a suspect as a result of incriminating information that arises during an investigation or interview or whenever the **interviewer** believes, or reasonably should believe, that the person committed a criminal offense. The appropriate rights warning for persons interviewed during an IG inquiry or investigation varies with their status. IGs will use DA Form 3881, Rights Warning Procedure/Waiver Certificate, for suspect interviews and, in some cases, subject interviews.
- b. DA personnel who are witnesses or subjects may not lawfully refuse to answer questions properly related to an IG inquiry or investigation unless answering the question will incriminate them, will involve certain privileged communications (**see para 8-4**), or will be in violation of their right to union representation **as described in paragraph c below**. However, if an investigator suspects, or reasonably should suspect, that a soldier or DA civilian (if a civilian is in custody) under questioning has committed a criminal offense, the investigator must advise that person of his or her rights under Article 31, UCMJ, and *Miranda v. Arizona* **as applicable**. Soldiers or DA civilians (if the civilian is in custody) who are suspected of having committed a criminal offense have the right to have a lawyer present (the lawyer can advise the suspect but not speak for the suspect), the right to remain silent during questioning related to the matter, and the right to terminate questioning. Accordingly, if soldiers or DA civilians (civilians in custody) invoke their rights **after the IG properly advises them of their rights** (or they fail to waive their rights), questioning **will** stop immediately, and the interview **will** terminate. The IG will not complete the read-out; the interview will **simply end**. Because the circumstances under which the IG may resume questioning are specific to facts, the investigator should consult with the local legal office before initiating further discussions with these individuals. (See UCMJ, Art. 31, Military Rules of Evidence (MRE) 304 and MRE 305, MCM.) When in doubt concerning these rules, the interviewer should consult with the servicing SJA or DAIG's Legal Advisor.
- c. Union representation at interviews (see Section 7114(a)(2)(A), title 5, United States Code) (5 USC 7114(a)(2)(B)).
 - (1) All Army civilian employees represented by any labor organization that is certified as the exclusive representative of a bargaining unit have a right to union representation at any investigative examination. If the employee reasonably believes that the examination may result in disciplinary action against the employee, the employee may request representation. In addition, the local union contract may provide for union representation even when the employee does not request it. IGs should know the contents of the local union contract or should coordinate with the local CPAC management-employee relations specialist.
 - (2) Although subjects and suspects are the most likely sources of such requests, witnesses may also make them. If a witness is otherwise entitled to representation as specified in subparagraph (1) above, IGs should allow a union representative to be present.
 - (3) The union representative may comment, speak, or make statements; he or she may not, however, **assume control**, disrupt the meeting, or answer for the interviewee. In determining whether a given representative is being disruptive or usurping **control of** the interview, the IG should apply a standard of "reasonableness." The union representative's presence is in addition to any right that the employee may have to a lawyer.
 - (4) If the employee requests and is entitled to union representation, the IG must take every reasonable step to ensure that the union has the opportunity to represent the employee at an investigation or investigative inquiry interview. Such steps should

include granting extensions and, if necessary, notifying the union that the employee is having difficulty obtaining a representative. Only when the IG takes these steps may the interview proceed.

8-6. Unfavorable information

During an IG investigation or inquiry, unfavorable information (see glossary) obtained about a suspect/subject may result in an unfavorable comment in the ROI/ROII. The individual has a right to know of the unfavorable information during the IG inquiry or investigation. The IG will orally notify the person concerned (notification) of the allegations and interview the subject or suspect before completing the IG inquiry or investigation. **The IG will follow the verbal notification with a written copy for inclusion in the ROI/ROII.** The IG will provide the person an opportunity to comment on the unfavorable information during the interview process. The comment may be—

- a. Presented orally, in person, and be sworn and recorded.
- b. A suggestion to obtain the testimony of reasonably available witnesses the person desires to be heard.
- c. Written statements, preferably sworn, made by the person or others who wish to make a statement on that person's behalf.
- d. The suggestion to obtain or consider other evidence, documentary or physical, that the person wishes to present.

8-7. Reports of Investigation and Investigative Inquiry

- a. *Preparation.* IGs will prepare a separate written report for each IG investigation or inquiry. IGs will complete the ROI or ROII as soon as practicable after completing the investigation or inquiry. **An abbreviated ROI/ROII is acceptable as a cover document for a referred action that resulted in a command product such as an AR 15-6 investigation, commander's inquiry, and military police or Criminal Investigations Division (CID) report that thoroughly and completely resolved the allegations and issues in a given complaint. Refer to The Assistance and Investigations Guide (available from TIGS) for guidance on abbreviated ROI/ROII formats.** IGs will include in the IG record copies of documents that the IG did not prepare **such as the command products mentioned above** that the IG considered to support any findings, conclusions, recommendations, or resolution actions. These non-IG products will become a part of the IG record subject to the provisions outlined in chapter 3.

- b. *Format.* The format consists of—

- (1) An executive summary (when necessary) that provides the names of suspects or subjects, the authority for the investigation, the relevant background to the case, a restatement of the allegation(s) or issue(s), **key evidence**, and a brief discussion or synopsis of each substantiated or not-substantiated allegation **and founded or unfounded issue**.
- (2) The main body of the ROI/ROII, which consists of—
 - (a) Introduction (optional) if the case is complex or has extensive background information that demands explanation.
 - (b) Consideration of allegations **and issues** in light of the relevant evidence—the complaint, the standard alleged to have been violated, any documentary evidence (including documentation of physical evidence), **witness** testimony and statements, **subject/suspect testimony and statements**, a discussion that concisely analyzes all of the evidence considered, and a clear conclusion of "substantiated" or "not substantiated" or **"founded" or "unfounded"**. **If the report addresses** more than one allegation, the format is repeated until all allegations are addressed. For further guidance regarding examples and detailed discussions of these formats, contact **TIGS**.

- c. *Processing.*

- (1) The command IG or State IG will—
 - (a) Review and approve the ROI/ROII and forward the report to the supporting judge advocate or command counsel for legal review. Legal reviews are required for all

ROIs and ROIs with substantiated findings and optional for reports addressing allegations that are not substantiated.

- (b) Submit the ROI to the directing authority.
 - (c) Approve or disapprove the ROI in part or in its entirety and provide the commander **(who is also normally the directing authority)** with recommendations as appropriate **(see para 8-2 c)**. **In addition, ROIs with substantiated allegations must receive the commander's added approval to ensure that the IG's conclusions receive a responsible level of scrutiny (see para 8-4 e).**
- (2) The directing authority will—
- (a) Approve or disapprove the report in its entirety or approve it in part. The directing authority will sign the report and indicate approval or disapproval. Commanders may delegate approval and disapproval authority during their temporary absence. General officer commanders may permanently delegate approval and disapproval authority to a general officer deputy commander or a general officer chief of staff. **(See glossary for a definition of directing authority.)**
 - (b) Take action on the approved portions that are within the authority and responsibility of the directing authority. A record of the action taken will **become** a part of the original report and all copies.
- (3) The IG will forward through IG channels to the next higher commander a ROI/ROI, or any portion of the ROI/ROI, that requires action at levels above that of the directing authority complete with recommendations. Each higher commander will indicate approval or disapproval and take appropriate action on matters within their authority **to affect**. IGs will forward remaining matters through IG channels, with appropriate recommendations, to the next higher commander.
- (4) When TIG directs the IG investigation/inquiry, the immediate commander of the IG who conducted the investigation will indicate concurrence or nonconcurrence of the investigation's conclusions. The IG will then forward the report through IG channels to TIG. As the directing authority and the IG office of record, TIG has final approval of the report. In these cases, TIG normally directs an investigative action and allows local IGs and their directing authority to decide if an IG investigation or investigative inquiry is appropriate. The local IG is best able to define and adjust the scope of the investigative action based upon the IG's analysis of the issues and allegations and the evidence gathered.

8-8. Use of command products in IG investigations and investigative inquiries
IGs may use command products as evidence to resolve allegations brought to the IG. Command products include, but are not limited to, commander's inquiries and formal and informal investigations conducted under the provisions of AR 15-6. IGs will not substitute command products for a ROI or ROI, which are required to substantiate or not substantiate allegations made to an IG. Instead, the IG must complete a ROI or ROI and consider the command product as a primary piece of evidence when completing the report. However, the IG does not have to accept the results of the command product and instead may make another determination in the report. If the IG makes a determination that contradicts the conclusion reached in the command product, the IG will obtain a legal review. Since the command product in question has already had a legal review, the IG must ensure that any decision that overrides previous legal advice receives a fresh legal examination.

8-9. Recording investigations into the inspector general electronic database
IGs will enter ROIs and ROIs into the IGARS electronic database using the procedures provided by **TIGS in coordination with DAIG's Information Management and Resources Division (SAIG-IR)**. IGs will ensure that the summary of the case accurately addresses the allegations, facts, conclusions, findings, and recommendations. The electronic case file should also reflect the actions taken by the commander when appropriate.

8-10. Other special investigations

In addition to the requirements and procedures discussed above, IGs will perform several other types of special investigations. Each is unique in some respects and is addressed below. All of the special investigations require many of the same Army IG investigations procedures previously addressed, but each has its own special rules.

- a. *Responses to the President or Congress.* An IG who receives a request directly from the President or a Member of Congress (MC), or from the installation or activity congressional liaison office, will notify DAIG's Assistance Division expeditiously. (For ARNGUS IGs, see para 7-7a.) If the command or activity's congressional liaison office receives a case on which the IG is currently working or has already completed an IG inquiry, the local IG must inform the tasking official that the IG will forward the response through IG channels to DAIG's Assistance Division. These cases are handled as IG cases. DAIG's Assistance Division is the office of record for these cases and will contact the Office of the Chief, Legislative Liaison (OCLL), or the White House Liaison Office (WHLO) to have the case transferred to DAIG's Assistance Division. Once the investigative inquiry is complete, the local IG will forward the ROI/ROII through the MACOM IG to DAIG's Assistance Division. The Assistance Division will prepare the final response to the complainant on behalf of the President or to the MC and furnish copies to OCLL or WHLO and the IG office (or offices) that processed the case.
- b. *DOD Hotline complaints.* DODD 7050.1, Defense Hotline Program, requires that all corrective action taken regarding a case be presented in the completion report, to include all action taken against the subject/suspect. The **submission deadline** for the Hotline completion report is normally 60 days from receipt in DAIG's Assistance Division (45 days for cases with congressional interest). IGs must make every effort to meet Defense Hotline completion **deadlines**. When an IG realizes that he or she will not meet a Hotline completion deadline, the IG will send a substantive interim report with a projected completion date to the Army Defense Hotline Coordinator at DAIG's Assistance Division. DAIG's Assistance Division is the Office of Record for all DOD Hotline complaints received in the Army. The format for the Defense Hotline completion report is to be **in accordance with doctrinal guidance developed by TIGS in coordination with DAIG's Assistance Division**. This **doctrinal** guidance is available from **TIGS**.
- c. *Soldier and nonappropriated fund employee allegations of whistleblower reprisal.*
 - (1) Section 1034, title 10, United States Code (10 U.S.C. 1034), revised by The Strom Thurmond National Defense Authorization Act for Fiscal Year 1999, effective 16 October 1998, extends authority to IGs within the military departments to grant whistleblower protection for reprisal allegations presented directly to them by service members. This law, implemented by DODD 7050.6, requires Service IGs (*Note. TIG has limited this authority to one level above that of the IG servicing the complainant such as MACOMs, corps, armies, etc.*) to investigate allegations of individuals taking, or threatening to take, unfavorable personnel actions or withholding, or threatening to withhold, favorable personnel action as reprisal against a member of the Armed Forces for making or preparing a protected communication. A protected communication is—
 - (a) Any lawful communication to a Member of Congress or an IG.
 - (b) A communication in which a member of the Armed Forces communicates information that the member reasonably believes **provides** evidence of a violation of law or regulation such as sexual harassment or unlawful discrimination, gross mismanagement, a gross waste of funds or other resources, an abuse of authority, or a substantial and specific danger to public health or safety when such a communication is made to any of the following:
 1. A Member of Congress; an IG; or a member of a DOD audit, inspection, investigation, or law enforcement organization.
 2. **Any person or organization in the chain of command (See AR 600-20 for a definition of the chain of command).**
 3. **Any other person or organization designated in accordance with regulations or other established procedures for such communications**

(see the most current version of DODD 7050.6 and associated instructions for any updates on the nature of protected communications).

- (2) If a soldier **or nonappropriated fund employee presents** a reprisal allegation that appears to meet the criteria outlined in 10 USC 1034, **the IG who receives the allegation will conduct IGPA. If the IG deems that the allegation meets the criteria for a reprisal**, the IG will contact DAIG's Assistance Division (SAIG-AC) promptly by telephone (within 2 days) for specific instructions regarding how to proceed. **IGs serving below the MACOM level will also inform the MACOM IG about the reprisal allegation.** The field IG should be prepared to discuss the timeliness of the allegation (an allegation of whistleblower reprisal may be untimely if the allegation is made more than 60 days after the soldier became aware of an adverse **or unfavorable** personnel action that he or she believes was taken in reprisal), the protected communications made by the soldier, and the adverse **or unfavorable** personnel actions alleged by the soldier to be acts of reprisal. The name, grade, social security number (SSN), unit assignment, address, and phone number of the soldier is required. The IG should be prepared to respond to the following specific questions:
 - (a) What protected communications does the soldier claim that he or she made?
 - (b) To whom were they made?
 - (c) When were they made?
 - (d) What matters were addressed in the protected communication (that is, gross mismanagement, waste, public safety, abuse, and so forth)?
 - (e) What are the adverse **or unfavorable** personnel actions alleged by the soldier?
 - (f) Who are the responsible management officials alleged by the soldier to have taken, or threatened to take, the adverse **or unfavorable** personnel action? IGs must report allegations against senior Army officials (that is, general officers and civilians in the grade of SES) to DAIG's Investigations Division (SAIG-IN) within 2 days of receipt.
 - (g) When were the adverse **or unfavorable** personnel actions against the soldier taken or threatened?
 - (h) When did the soldier first become aware of the adverse **or unfavorable** personnel actions?
- (3) **Based on the results of the coordination between DAIG's Assistance Division and the IG receiving the complaint, DAIG's Assistance Division will forward a letter to the soldier formally acknowledging receipt of the complaint and will also advise IG, DOD, as required in Section 1034 as appropriate. DAIG's Assistance Division will notify DAIG's Records Release Office upon IG, DOD, approval of a whistleblower case. The Records Release Office will prepare a release to the complainant as required by DODD 7050.6.**
- (4) If, after coordinating with DAIG's Assistance Division, the IG determines that the soldier's allegations meet the criteria for coverage under the law, then DAIG's Assistance Division will direct the IG receiving the complaint to forward the case to either the MACOM IG or to DAIG's Assistance Division **for IGAP action or further tasking. Whistleblower reprisal investigations normally take place one level above the IG office that received the complaint. In some cases, and with coordination through the MACOM IG for DAIG approval, some IG offices that received the complaint may conduct the investigation.** The MACOM IG will coordinate all notification and reporting requirements with DAIG's Assistance Division. DAIG's Assistance Division will maintain oversight on whistleblower cases **involving non-senior officials.**
- (5) In accordance with DODD 7050.6 and DODD 6490.1, IG, DOD, is the final approving authority for cases involving allegations of whistleblower reprisal and improper Mental Health Evaluation referrals (see para e (2)). The command or State IG who investigates the reprisal allegations will obtain a directive authorizing the investigation from his or her directing authority **if a formal investigation is being conducted. If**

an investigative inquiry is being conducted, then the State or primary IG can authorize the inquiry. The investigating IG will obtain the directing authority's concurrence or nonconcurrence with the findings and conclusions of the investigation and will forward the ROI through IG channels to **DAIG's Assistance Division**. Each intermediate IG will review the ROI and obtain his or her commander's endorsement regarding the findings and conclusion. IGs will prepare all ROIs in accordance with the instructions in DODD 7050.6.

d. DA civilian employee and DOD contractor allegations of whistleblower reprisal.

- (1) Requirements of section 2302(b) (8), title 5, United States Code (5 USC 2302(b)(8)), provide similar coverage to appropriated fund employees as previously discussed above for members of the Armed Forces. Coverage to contractor employees is provided under Section 2409(a), title 10, United States Code (10 USC 2409(a)). When a Government civilian employee presents to an IG an allegation of reprisal for protected disclosure, the IG must perform certain functions:
 - (a) Inform the appropriated fund civilian employee of the right to present the reprisal allegation to the Office of Special Counsel (OSC). **Advise appropriated fund employees to contact OSC directly. The IG will open an IGAR, code the request as assistance, and close the IGAR.**
 - (b) Inform nonappropriated fund employees that they should make their complaint about reprisal to the IG, DOD, in accordance with DODD 1401.3, Employment Protection for Certain Nonappropriated Fund Instrumentality Employees/Applicants.
 - (c) Inform contractor employees that the provisions of 10 USC 2409(a) govern their right to complain about reprisal. **Advise contractor employees to contact IG, DOD, directly. The IG will open an IGAR, code the complaint as an assistance request, and close the IGAR.**
- (2) If the employee elects not to present a reprisal complaint to the OSC or IG, DOD, but still wants to present the complaint to an IG, obtain that decision in writing and coordinate with the SJA and the commander to determine which type of IG action is appropriate. IGs are cautioned that the provisions of paragraph 4-4k may apply if the complainant elects not to present the complaint to the appropriate agency.

e. Improper referral for mental health evaluation.

- (1) DODD 6490.1, Mental Health Evaluation of Member of the Armed Forces, and DOD Instruction (DODI) 6490.4, Requirements for Mental Health Evaluation of Members of the Armed Forces, establish and implement DOD policy, assign responsibility, and prescribe procedures for the referral, evaluation, treatment, and administrative management of soldiers who may require mental health evaluation, psychiatric hospitalization, or assessment for risk of potentially dangerous behavior. The directive prohibits improper referral as a punitive violation of Article 92, UCMJ, and the instruction requires the Military Departments to notify IG, DOD, within 10 working days after receipt of an allegation(s) involving improper referral for a mental health evaluation (MHE) in violation of the directive.
- (2) IGs receiving allegations of improper referral for MHE will notify DAIG's Assistance Division (either by telephone facsimile or telephone) within 2 working days. This notification will include the name, grade, address or duty location, and phone number of the complainant; a synopsis of the specific allegation(s); any supporting data received by the IG; the name, grade, address, and phone number of the IG action officer; and any other information required during notification in accordance with DODI 6490.4.
- (3) IGs must analyze all allegations of improper MHE referral for reprisal under the provisions of 10 USC 1034. If a possible violation of DODD 7050.6 (Military Whistleblower Protection) cannot be ruled out after a review by DAIG, then DAIG will refer the allegations to the appropriate MACOM IG to perform the IGAP (see c (4) above).

f. Reporting of substantiated violations of the Joint Ethics Regulation (DODD 5500.7-R) to Installation/Agency Ethics Counselors. IGs should report substantiated violations of the Joint Ethics Regulation to DAIG and to their

local installation/command/agency ethics counselors. DAIG personnel will refer this information to the legal counsel or deputy legal counsel for transmission to the Deputy Army Ethics Counselor, Army Office of Government Counsel.

8-11. Coordination and cooperation

- a. Various directives and authority govern the coordination and cooperation among the OTIG; Security, Force Protection, and Law Enforcement Division (DAMO–ODL); **Army G-3**; and the USACIDC. **A Memorandum of Understanding (MOU) among the above parties, dated 24 March 1988, and modified by a MOU addendum dated 7 July 1992, expresses this coordination and cooperation.**

(1) Concept.

- (a) Applicable directives and regulations prescribe functions, authority, procedures, techniques, and the scope of investigations by IGs, provost marshals or security officers, and USACIDC personnel.
- (b) IG investigations **focus** primarily on the collection and assessment of command, management, or leadership concerns as well as breaches of military professional ethics.
- (c) USACIDC and MP investigations focus on criminal activity.
- (d) Management weaknesses or systemic deficiencies may create a climate for crime or be the result of crime. Therefore, the same Army activity may **require** both IG and law enforcement investigations.

(2) Policy.

- (a) TIG; the **Army G-3**; the Commander, USACIDC; and their designated representatives mutually agree to a transfer of essential information on a close-hold basis concerning major or sensitive investigations conducted within their respective primary areas of responsibility.
- (b) This policy will be followed at all levels. Exceptions can be those cases in which the SA or the CSA restricts the transfer of information.

(3) Procedures.

- (a) Coordination among IGs, USACIDC, and the Provost Marshal should **occur** at the following levels:
 - (1) Among OTIG; HQ, USACIDC; and **Army G-3**.
 - (2) Among MACOM IGs, provost marshals or security officers, and counterpart USACIDC elements.
 - (b) Transfer of investigative responsibility at any level will **occur** with the knowledge of the appropriate commander or chief of staff.
 - (c) Once any party referred to in (a) (2) above has started an investigation (or has been directed to start an investigation) based upon a referral of allegations from another party to this policy, the agency conducting the investigation will provide a status or close-out report of its investigation, as appropriate, to the party that referred the allegations.
 - (d) Any investigative agency, with the knowledge and approval of the agency commander, may be used in support of an investigation conducted by another.
- Exceptions to the procedures above follow:

(1) Criminal. TIG and command and State IGs will ensure that information of a criminal nature developed as a subsidiary matter during their investigation will be protected and immediately provided to USACIDC personnel, a provost marshal, or a security officer, whichever is appropriate. IGs will not release IG ROIs/ROIs without approval of TIG.

(2) Noncriminal. HQ, USACIDC, and commanders of USACIDC elements at all levels will **provide to the IG** noncriminal information developed during their investigations and related to the exercise of command or administration of the Army either during the USACIDC investigation or upon completion, whichever is appropriate.

(3) *Exercise of command or administration.* Security, Force Protection, and Law Enforcement Division; **Army G-3**; and provost marshals or security officers at all levels will **provide to the appropriate level IG** noncriminal information developed during their investigations and related to the exercise of command or administration of the Army as soon as possible.

(e) The USACIDC will normally investigate those felony offenses listed in AR 195–2 and similar felony offenses under applicable laws that involve as subjects senior-level personnel (active-duty or retired general or flag officers, **promotable colonels**, or members of the SES or Executive Schedule personnel). USACIDC may investigate other offenses involving these personnel as subjects if the complexity of the incident so dictates.

(f) TIG and the Commander, USACIDC, will approve exceptions to this division of responsibility for the investigation of allegations against senior officials.

(g) USACIDC will report any and all allegations against senior officials to TIG within 2 working days by rapid and confidential means after receipt by any USACIDC element whether or not USACIDC exercises investigative responsibility. TIG will immediately report all allegations of misconduct by senior officials within **the realm of USACIDC** investigative responsibility and all allegations of fraud, regardless of investigative responsibility, to USACIDC.

b. Various directives and authority govern the cooperation between the OTIG and the Army General Counsel regarding the investigation and reporting of allegations of ethical violations. Among these documents is a MOA dated 9 April 2002 between these parties.

(1) TIG and IGs under TIG's policy oversight will:

(a) Investigate ethics matters arising within the Army that are properly referred for investigation. Ethics counselors making such referrals are not considered third-party complainants.

(b) Coordinate with their supporting ethics counselor when conducting investigations that involve alleged violations of Federal ethics laws and regulations.

(c) Refer to USACIDC any such matters that involve suspected criminal violations, to include suspected violations of 18 USC 207/208 and 41 USC 423, and report all referrals to the Department of the Army Ethics Office (DAEO).

(d) Coordinate with their supporting ethics counselor when conducting investigations that may result in referral to the Department of Justice or local U.S. Attorney's Office.

(e) In accordance with paragraph 3-7b of this regulation, coordinate with DAIG's Records Release Office and the supporting ethics counselor to provide final reports of investigation to the supporting ethics counselor that describe investigative matters required by the Office of Government Ethics for inclusion in the Army's annual ethics survey—as well as situations that have resulted or may result in violations of ethics laws and regulations—in order to enable the Department of Defense Standards of Conduct Office to develop, maintain, and publish a list of such circumstances and situations as required by Section 206(c)(7) of the Act, and 5 C.F.R. Section 2638.203(b)(5).

(2) DAIG's Legal Advisor will provide introductory ethics training for IGs to ensure that IGs handle ethics-related cases appropriately. DAIG's Legal Advisor will also provide annual and recurring ethics training to DAIG personnel.

(3) To heighten the ethical awareness of Army personnel, and to remain consistent with paragraph 1-7 of this regulation, DAIG will make available for possible publication, via the appropriate venue, abstracts of factual scenarios based upon finalized reports of investigation involving ethics violations by Army personnel.

c. Coordination and cooperation already exist within the Army IG system in the form of technical channels. Therefore, higher-echelon IGs will always coordinate their visits with lower-echelon IGs as a matter of courtesy. Higher-echelon IGs

will never bypass a lower-echelon IG office and visit a subordinate command directly. Instead, the higher-echelon IG office will coordinate such visits through the lower-echelon IG office. This practice will further promote the exchange of information and trends between IGs of different command echelons and further strengthen technical channels within the Army IG System.

Chapter 9

The Role of Inspectors General in Full Spectrum Operations

9-1. Inspector general role

- a. The IG System was born during conflict and **made** its earliest contributions **to the Army through** training and maintaining readiness. **Since its inception**, the IG System has played a key role across the **full** spectrum of conflict from the Revolutionary War **through the Global War on Terror (GWOT)**. **As part of this IG System, all IGs serve as key assessment mechanisms that allow their commanders to make informed decisions when planning, preparing, and executing military operations.** When the command is deployed or operating as a split command in more than one location for either war or **peacetime engagement** operations, IGs have the same role as they do in peacetime—extending the eyes, ears, voice, and conscience of the commander. The basic IG functions do not change; **the IG will still serve the command's readiness by performing inspections, assistance, investigations, and teaching and training.** However, priority of focus during military operations must remain on tasks and systems that directly relate to the command's readiness during all phases and types of military operations.
- b. All IGs, whether in the theater of operations or in a supporting theater (CONUS and OCONUS), have a major operational mission. The IG's role in military operations is not static. The command's mission and the phase of the war at the time dictate the IG's specific role. IGs must become involved early in the commander's planning process and understand the commander's intent, concept of the operation, **and key tasks that must be accomplished.**
 - (1) As extensions of the eyes and ears of the commander, IGs in deploying units will focus on high-payoff issues that impact the unit's ability to mobilize rapidly, deploy, and sustain itself; to prepare for military operations; to conduct operations; to redeploy **and to reintegrate**; and to assist the command in reconstituting and preparing for the next mission. **For example, deploying IGs can expect to work issues such as deployment readiness, combat training, force protection, supply and services efficiency, intelligence oversight, equipment and captured personnel handling, standards of discipline, and other soldier welfare issues.**
 - (2) Supporting theater IGs generally focus on many of the same issues as deploying unit IGs. Mobilization, deployment, sustainment, preparation for combat, redeployment, **pre-reintegration**, and reconstitution are all issues of major concern. Traditionally, supporting IGs have **also** played major roles **in reception, staging, and onward integration (RSOI) of forces into the area of operations; theater-level supply and personnel replacement operations; redeployment operations; and other operational-level functions.**
 - (3) Both deployed and supporting IGs will continue to work soldier morale and welfare issues, family issues, civilian employee or other civilian issues and concerns, and other issues consistent with the fundamental missions of the IG System.
 - (4) State **and USAR** IGs have a unique focus during both war and **peacetime engagement** operations. They must be prepared to assist with the deployment of NG **and USAR** units and with those non-deploying units. State **and USAR** IGs must also be capable of responding to increased activity from family members of deploying and non-deploying NG **and USAR** units as well as family members of personnel from all other active Army, **Army Reserve, and National Guard units and units from other services.**
- c. The IG must have an in-depth understanding and appreciation of the mission, **commander's intent**, operational situation, **key tasks**, resources, and courses of action. This knowledge prepares the IG to answer soldier and leader concerns and to evaluate effectively and efficiently the execution of the command's mission.

- d. An IG's ability to support the commander's operational contingency and deployment requirements will depend on prior planning and the IG serving as an integral part of the unit's mission planning and exercise process. The IG must ensure that the commander and coordinating staff understand and are familiar with the IG's wartime role and the contributions the IG can make to the operational effort. The IG **must develop and promote this understanding** in peacetime through the IG's participation in training exercises with the commander and staff.
- e. The IG's operational planning effort provides critical input to the IG mission essential task list (METL). Planning must incorporate flexibility, include provisions for full-service operations (the ability to perform all four IG functions), and be oriented toward contingency operations in a developing theater. Planning should consider mobilization, deployment, sustainment, combat or **peacetime military engagement**, redeployment, **reintegration**, and reconstitution as applicable.
- f. Upon unit activations and deployments, non-deploying supporting IGs must be capable of providing IG support to residual units or activities and the families of deployed soldiers.

9-2. Organization

The organization of the IG office will vary depending upon the status and location of the unit (that is, CONUS-based unit or forward deployed). IGs must consider both deployed and stay-behind capabilities in people and equipment. **These considerations especially apply to IGs who serve both a tactical command and an installation.** The IG should consider the following factors in the planning process:

- a. Identify the proper TOE and TDA **personnel combinations** to retain flexibility for the deploying elements while maintaining adequate resources at home station to meet supporting IG operational requirements. **If Army Reserve and National Guard units are assigned to the command for the operational mission, the IG office should request augmenting IGs to represent the unique requirements and issues concerning these components.**
- b. Identify individual mobilization augmentees (IMA) and Individual Ready Reserve IG staffing needs. IGs should identify IMA personnel by name.
- c. Determine training requirements for RC IG personnel identified upon activation.
- d. Consider appointing and training acting IGs to cover remote locations or dramatic increases in unit strength.
- e. **Organize to support modular deployments by deploying IG teams to support a subordinate unit on extended deployment.**
- f. Determine the method of coverage in the theater of operations where units may be widely dispersed. Indicate the methodology in the operations plan/operations order (OPLAN/OPORD).
- g. Determine the IG operations bases required at home station, staging bases, and deployed locations, to include the command posts from which the IG will operate.

9-3. Resources

- a. *Equipment.* **The IG must conduct a** periodic review of equipment authorization documents to ensure that **adequate deployment equipment is available such as tactical vehicles, tents, camouflage netting, field telephones, tactical computers, radios, etc.** IGMET electronic data hardware and software considerations, as well as supporting communications requirements, are a part of IG contingency planning. **Planning** considerations must include both deploying and supporting IG requirements. IGMET and **reach-back communications** connectivity is vital to the deployed IG's mission accomplishment. **Deploying IGs must also ensure that they have active IGMET accounts as well as contact information for DAIG's IRMD so that DAIG may interface with the deployed unit's G-6/J-6 concerning connectivity and other technical problems.**
- b. *Personnel.* **The IG must conduct** manpower reviews of MTOEs and TDAs to ensure that **adequate provisions** are in place for workload increases to support **deployed and** wartime efforts. **Coordinate all MTOE and TDA changes and actions with the force**

structure analyst in DAIG's Operations and Support Division (SAIG-OP). Training requirements for personnel selected to serve as IGs during wartime will be the same as those specified in paragraphs 2–3 and 5–4. IGs must sustain their ability to perform all four IG functions in peacetime in order to conduct a full-service operation when deployed.

TIGS can assist in sustainment training and provide training materials as required.

- c. Publications.* Access to regulatory and policy standards contained in departmental and command publications is essential to performing all four IG functions. IGs must include this requirement in deployment and contingency planning. **Some hard-copy documents will be necessary, but access to publications through electronic connectivity (such as the Internet) or the use of electronic-based systems (such as CD-ROMs) is an important consideration.**

9-4. Staff estimates

IGs are essential staff members in all scenarios during both peacetime and wartime operations. IG involvement in the military decision-making process (MDMP) from the receipt of the mission to the production of the order is continuous. The IG should have a clear understanding of the higher headquarters' order, the command's mission, and the commander's intent. The IG must ensure that the commander's expectations of the IG's role and functions are addressed early in the mission-analysis process. Once the IG understands the mission and the commander's intent, the IG is in a position to formulate or plan detailed mission requirements. This process should include anticipated IG actions (**inspections, assistance, investigations, and teaching and training**) during each phase of the operation such as mobilization, deployment, sustainment, redeployment, **reintegration**, and reconstitution. **IGs must coordinate all IG estimates, annexes, and input to the MDMP with the G-1, who has coordination staff responsibility for the IG.**

9-5. Functions

- a. Inspections.* **Inspections are the most direct way that an IG can influence the command's mission readiness.** As units prepare for war, previously unscheduled inspections and unannounced inspections often occur. IGs must prepare to verify organizational readiness and identify mobilization issues for resolution. **IGs may find themselves performing a mix of special inspections of systemic issues and general inspections of units. Either the tactical situation or the commander's need for timely feedback to make critical decisions may cause the IG to compress the IG inspections process. (See chap 6.) If the IG must conduct a general, compliance-oriented inspection of a unit, the IG will exercise great care with the results since many of the findings will involve local issues from the inspected command that require some attribution to resolve (for example, the name of a supply sergeant who needs additional training in order to enhance a unit's readiness). The IG will have to involve TIG in these cases when breaching confidentiality becomes an issue. (See par 1-12.)** Generally, the commander will furnish broad guidance concerning key issues. IGs will ultimately determine IG **inspection topics** by the unit's mission, the commander's intent, and the operational environment. To be effective, the IG must include only those high-payoff issues in the inspection plan that the commander approves. IGs **must** use technical channels to share the results of inspection trends and findings **within and without the command.** The following topics represent the type and diversity of operational issues to consider—

- (1) Personnel or equipment readiness.
- (2) Processing for overseas movement.
- (3) Casualty affairs.
- (4) Mobilization or deployment operations.
- (5) Unit combat readiness or effectiveness.
- (6) Post mobilization or pre-combat training.
- (7) Ammunition re-supply operations.
- (8) Combat feeding.
- (9) Enemy prisoner of war **and detainee processing and procedures.**

- (10) Graves registration.
 - (11) Mail services.
 - (12) Ports of debarkation processing.
 - (13) Reintegration.**
 - (14) Reconstitution.
 - (15) Family assistance planning and execution.
 - (16) Replacement system.
 - (17) War trophies or contraband.
 - (18) Accountability and serviceability of returning equipment.
 - (19) Information management and information operations.
 - (20) Operations security
 - (21) Force protection and safety
- b. Assistance.* Both deployed and supporting IGs can expect increases in requests for information and assistance. Historically, assistance cases **represented** the majority of the deployed IG's workload. A thorough analysis of each phase of the operational spectrum will provide insights into the nature of the requests that IGs can expect. IG technical channels and increased flexibility are essential to responsive support to commanders, soldiers, and other interested parties. **Whenever possible, the deployed IG must forward inquiries initiated outside the theater of operations to the appropriate IG for resolution. For example, an IGAR concerning an Army Reserve issue that the deployed IG cannot resolve in theater should go to the IG, USARC, for subsequent referral to the appropriate regional readiness command (RRC) IG office, division IG office, etc.** Typical requests for assistance include the following:
- (1) Early return of family members.
 - (2) Emergency leave procedures.
 - (3) Nonsupport of family members.
 - (4) **Reserve and National Guard** family support issues (ID card, health care, post exchange and commissary privileges, etc.).
 - (5) **Reserve and National Guard** soldier entitlements (**pay, promotion, etc.**).
 - (6) Shipment or storage of household goods.
 - (7) Family care plans.
 - (8) **Information requests from members of the indigenous population.**
 - (9) **Awards and decorations issues.**
 - (10) **Post-mobilization medical care for Reserve and National Guard soldiers.**
- c. Investigations.* The IG investigations function during military operations differs little from peacetime investigations. Investigations conducted while deployed are more difficult to complete because of the limited access to the commander, time and distance factors, and a generally greater reliance upon technical-channel support from other IGs who may also be deployed. Records-release policies for IG records such as ROIs do not change during military operations.
- d. Teaching and training.* IGs have traditionally been the bridge that spans the gap of experience. The time-sensitive need for teaching and training soldiers at all levels on fundamental tasks essential to mission success is an inherent IG function. As extensions of the eyes and ears of the commander, the IG should view the teaching and training function as a key factor in a unit's ultimate success and therefore plan its inclusion as a fundamental portion of all other IG activities. Especially important in this process is the IG's ability to acquire and understand rapidly the changing regulatory and policy standards inherent during major operations. The IG should **know and understand** information management operations and help to coordinate these requirements with the command information resource manager, functional proponents, and IGs operating in split locations.
- e. Law of War violations.* IGs will receive reports of law of war violations and process them in accordance with the provisions of DOD Directive 5100.77, DOD Law of War Program (see para 1-4b (5) (j)). The law of war is that part of international law that regulates the conduct of armed hostilities.

(1) **Initial Reports.** A reportable incident is a possible, suspected, or alleged violation of the law of war. An IG who becomes aware of a reportable incident must—

(a) Report the incident as soon as possible to the commander (directing authority) for action. The Law of War Program requires the commander to submit a report of any reportable incident through commands channels by the most expeditious means available to the responsible combatant commander.

(b) Inform the next higher-echelon IG with a concurrent report to TIG (ATTN: SAIG–AC) by confidential means and within 2 working days after receipt.

(2) **Preliminary Analysis.** IGs who receive IGARs involving alleged violations of the law of war, whether committed by or against U.S. or enemy personnel, are to ensure prompt referral of the allegation to the appropriate agency or conduct IG fact-finding when appropriately directed. The IG should coordinate closely with the command's SJA in determining a recommended course of action to investigate and resolve IGARs containing a law-of-war violation. Investigative assets from USACIDC, or other services' criminal investigation offices, have the primary responsibility for investigating suspected, alleged, or possible war crimes. For minor offenses, the commander's organic investigative assets and legal support can investigate using AR 15-6 or commander's inquiry procedures or an IG investigation / investigative inquiry.

9-6. Exercises

Realistic training scenarios provide an excellent tool to determine how to operate in all types of environments. As with any staff element, IGs must participate as full-fledged members of the staff in all command post exercises, field training exercises, Combat Training Center rotations, and mobilization/deployment readiness **and certification** exercises. Command IGs **will not perform non-IG duties** such as liaison officer, rear command post commander, or detachment noncommissioned officer in charge (NCOIC) during training exercises that would detract from their wartime mission **or compromise their ability to remain fair and impartial**. During these exercises IGs should include concurrent, split operations training involving the home station installation IG office **in order to practice reach-back procedures and other techniques normally used during operational deployments**. IGs should routinely publish **IG-related** instructions in their organization's exercise operational plans and orders.

Chapter 10

The Role of Inspectors General in Joint Operations

10-1. Joint and expeditionary mindset

Recent history has shown that the Army will fight and win this Nation's wars jointly with our sister Services. The current Global War on Terror (GWOT) demands that the Army be a campaign-quality expeditionary force that can deploy quickly anywhere in the world and fight as a joint team. As a result, Army IGs must stand prepared to support their commands and commanders not only in an Army-pure environment but in a joint environment as well. The most likely scenario for an Army IG office becoming a joint IG office is as part of a Joint Task Force (JTF). The commander of one of the nine unified Combatant Commands (COCOMs) may appoint either an Army division or corps headquarters as a JTF for a specific contingency operation. When an Army headquarters becomes a JTF, the IG office in turn becomes a joint IG office. The same basic IG functions will apply, but the IG office must adapt to include IGs from the other services represented in the JTF and adhere to emerging joint IG policy as promulgated by the IG, DOD.

10-2. The role of the IG in joint military operations

Army IGs must fully understand the basic precepts of joint operations as outlined in Joint Publication 3-0 (JP 3-0), Doctrine for Joint Operations, and the steps for establishing, deploying, and re-deploying a JTF as outlined in Chairman of the Joint Chiefs of Staff Manual (CJCSM) 3500.05, Joint Task Force Headquarters Master Training Guide (MTG). By understanding the nature and complexity of joint operations, the Army IG will be able to adapt more readily to the unique demands and needs of supporting a commander who is now responsible for various units from other Services and, possibly, from foreign nations. The IG will still serve the newly appointed JTF commander as that commander's eyes, ears, voice, and conscience but within the guidelines of established joint IG policy as promulgated by the IG, DOD. The same considerations for operations in a deployed environment as outlined in chapter 9 apply. However, the Army IG System as outlined in this regulation will no longer apply unless dealing strictly with Army issues from subordinate, Army-pure commands or if joint IG policy has been withdrawn or not established. If joint IG policy is not in effect, the IG will adhere to the Army IG System as outlined in this regulation to support the JTF commander. However, the IG must be familiar with the policies and procedures of the other Services' IG systems in order to apply those systems appropriately to personnel from those respective Services. For example, the joint IG office, although formed around the core of an Army IG office, will use Air Force IG procedures to investigate allegations of impropriety leveled against a member of the Air Force. A trained Air Force IG will normally augment the JTF IG office and should be the one who conducts the investigation.

10-3. The transition from the Army to the joint environment

The moment an Army IG office becomes a JTF IG office, the principal IG must—

a. *Organize the IG office to support a joint command.* The IG must consider the nature and scope of the IG support required to serve the JTF both in the area of operations and at home station. The joint manning document (JMD) will dictate the size of the forward-deployed IG section, so the principal IG must tailor that section carefully to ensure that the section can cover all the required IG functions in the theater of operations such as inspections, assistance, and investigations. The IG must consider the JTF's task organization when requesting IG augmentation from the other services. The JTF office must represent the mix of services that comprise the JTF. If the JTF contains Army, Air Force, and Navy personnel, then the IG office must request at least one trained IG from the Air Force and one trained IG from the Navy to serve in the JTF IG office. These trained IGs from the other Services may have to employ their respective Services' IG systems in certain instances depending upon the situation. Joint IG policy may not cover every eventuality. If the JTF is combined (a CJTF) and includes allied forces from foreign nations, the principal IG should request IG representation from those foreign commands

as necessary. Lastly, the principal IG must consider the size and capabilities of the IG section that remains at home station to support the residual, non-deployed units; other mobilizing and deploying units; and family members. This rear-detachment IG section or office must be capable of supporting the rear-detachment commander while offering the forward-deployed IG section or office a reach-back capability for addressing and resolving issues and problems that the deployed JTF IG section cannot resolve in the theater of operations. Multi-service IG technical channels will prove critical in this regard.

b. *Address immediate transition considerations.* The newly designated JTF IG office must immediately consider four things when transitioning from an Army-pure IG office to a joint IG office.

(1) *AR 20-1 does not apply to all Services in the joint environment.* The IG office must use established joint IG doctrine outlined in **DoD Directive 5106.4** and **DoD Instruction 5106.4**. However, AR 20-1 will still apply to Army-pure situations and issues as necessary, and the IG office will continue to enter Army IGARs into the IGARS database. The JTF IG office may also continue to consult DAIG directly for guidance and support.

(2) *AR 1-201 does not apply to all Services in the joint environment.* However, the JTF IG will assist the commander in adapting the Organizational Inspection Program (OIP) to the JTF. The units from other services will continue to adhere to their respective inspection programs, so the IG must recommend to the JTF commander how best to integrate those varying inspections into a joint program that will ensure continual readiness assessments within the JTF while the task force is mobilizing, deploying, and executing the assigned contingency operation.

(3) *The command lines have changed.* The IG must define the new command lines established by the assignment of the JTF. The JTF will now report to the COCOM commander that established the JTF; in turn, the JTF IG office must remain responsive to the COCOM IG office and interact with that office based upon joint IG policy or established COCOM policies. The JTF IG must identify routine reports and information requirements that feed into reports required from the COCOM IG by the commander. The JTF, while reporting directly to the COCOM commander, may also continue to maintain a relationship with the JTF's previous Army headquarters, which may be a corps headquarters or a MACOM. The same principle applies to the JTF IG office and the previous Army headquarters' IG office.

(4) *The JTF IG must establish connectivity with the COCOM IG and the JTF's subordinate IG offices.* Connectivity is essential to creating joint IG technical channels within and without the JTF. The JTF IG must actively establish communications by any necessary means with the subordinate JTF IG offices and the COCOM IG office to ensure smooth communications and the rapid transmittal of issues and allegations. The JTF IG must coordinate with the COCOM IG before establishing connectivity or communicating directly with Service-level IG offices other than DAIG.

10-4. Working with combatant command IG offices

JTF IGs will normally work with the COCOM IG directly on all joint and JTF-related IG matters. Specific IG policies implemented by the COCOM commander will also apply to the JTF IG and the JTF in general. The JTF IG office will remain responsive to the COCOM IG and comply with the provisions of joint IG policy as appropriate. If joint IG policy has been withdrawn or is not in effect, then the JTF IG will adhere to the IG guidelines established by the COCOM IG office.

Chapter 11 Information Management

11-1. Inspector General Worldwide Network (IGNET)

- a. The IGNET is an automated information network that supports IG case data collection, data analysis, communications, and administrative requirements of IGs worldwide. The network consists of individual local area networks (LANs) located at IG offices interconnected across the DOD Wide Area Network (WAN) infrastructure or across switched telephone connections (dial-up by modem) **connected to either the Network Operations Center (NOC) with USAIGA; the Continuity of Operations Plan (COOP) site at headquarters, FORSCOM; or one of the three regional server farms located in Hawaii, Germany, and Korea.**
- b. **Only school-trained Army IGs are authorized to have access to IGNET and the IGARS database. The only exceptions are office and administrative support staff (graduation from TIGS is not required) (see para 2-2g) and approved, TIGS-trained ANG IGs serving in multi-service headquarters (see para 1-10f).**

11-2. Purpose

The purpose of the IGNET is to provide an automated network infrastructure to support IGs worldwide to—

- a. Enable the collection, consolidation, and electronic interchange of IG case data at local sites, MACOMs, and DAIG using the Inspector General Action Request System (IGARS).
- b. Facilitate communications between IGs and other agencies primarily by e-mail or internal Intranet World-Wide-Web-based connectivity. In selected instances, use video telephones and application sharing with document collaboration.
- c. Provide baseline office automation, administrative, and training software support through commercial off-the-shelf (COTS) and Government-developed software.

11-3. Inspector General Worldwide Network operations and responsibilities

a. Information Resource Management Division.

- (1) *Program management.* The Chief, Information Resource Management Division (IRMD), is the Program Manager IGNET (PM IGNET) responsible for the operation, maintenance, management, and security of the IGNET. PM IGNET responsibilities include preparation and submission of program budget input to the program objective memorandum (POM) process to ensure that the program is adequately funded. PM IGNET maintains an IGNET architecture plan and manages configuration control of the IGNET. PM IGNET ensures IGNET compliance with Army automation policy and the Army Enterprise Architecture (AEA), compatibility with Defense Messaging System (DMS) migration, **and adherence** to open architecture standards.
- (2) *Network operations/administration.* IRMD personnel provide centralized IGNET operations and management internal to DAIG and in support of command and State IG sites. The DAIG IGNET network administrator will coordinate with the local director of information management (DOIM) responsible for providing WAN or dial-up connectivity for local IG sites on the configuring and installing of all IGNET hardware and software.
- (3) *Database management.* The IGNET database administrator is responsible for the administration, maintenance, and management of all centralized IG databases.
- (4) *Help desk.* DAIG's IRMD will maintain a technical help desk to support IGNET customers worldwide. The help desk will be manned during normal duty hours Monday through Friday (0730–1630 eastern standard time) **and will provide on-call support from 1630–2000 eastern standard time.**
- (5) *Software maintenance.*
 - (a) *IGNET software maintenance.* PM IGNET is responsible for the maintenance and modernization of IG-developed software consistent with the IGNET architecture

plan. All problem reports and System Change Requests (SCR) will be submitted to the PM IGNET.

- (b) *IGNET-provided COTS software.* The IGNET PM will modernize/upgrade IGNET-provided COTS software as required to maintain IGNET's configuration and architecture.
- (c) *Local unique software or locally provided COTS software.* The PM IGNET may approve the installation and use of locally provided software on IGNET servers and IGNET workstations. PM IGNET will approve no software for use on the IGNET system unless it passes PM IGNET's evaluation testing for compatibility. PM IGNET will not authorize the installation of COTS software unless it is in license compliance.
- (d) *Hardware maintenance.* IGNET-provided hardware covered under warranty will be serviced in accordance with warranty provisions. IGNET-provided hardware that is out of warranty and has a remaining lifecycle will be repaired or replaced at the discretion of the PM IGNET based on technical and lifecycle cost considerations.
- (e) *Intranet services.* PM IGNET is responsible for maintaining and operating IG Intranet services in accordance with guidance from DAIG's IRMD (contact DAIG's IRMD for further guidance regarding IGNET security).
- (f) *Network security.* PM IGNET has overall responsibility for the security of the IGNET. The IGNET security officer is responsible for ensuring that security procedures and protocols governing network operations are developed and issued; establishing procedures to control access and connectivity to the network; preparing and distributing instructions, guidance, and SOPs concerning network security; reviewing threats and vulnerabilities related to the network; reporting to the information systems security officer any suspicion of attempted or actual unauthorized entry to the network; evaluating planned changes to the network in terms of security; and assisting with the preparation of accreditation documents for IGNET operations within DAIG.
- (g) *Network connectivity.* PM IGNET is the approval authority for IGNET site connectivity configurations. PM IGNET will maintain configuration control and security consistent with the IGNET architecture plan. Because the local DOIM has the responsibility for installation, maintenance, and operation of the post network infrastructure, PM IGNET will ensure that IG network connectivity configuration and installation is always coordinated with the local DOIM. To ensure compatibility between IGNET and MACOM automation architectures, PM IGNET will coordinate IGNET architecture modernization with the MACOM Information Management Staff Office to ensure that IGNET connectivity supports future system configuration requirements.
- (h) ***Classified networks.*** The Army's primary classified networks for sending, receiving, and researching classified information via email and the World-Wide Web are the Secret Internet Protocol Router Network (SIPRNET) and the Joint World-Wide Intelligence Communications System (JWICS). IGs must post classified IG information on these networks.

b. Command and State IG Office.

- (1) **Information Assurance Security Officer (IASO).** The IASO should be designated as an IT-III in accordance with AR 25-2, paragraph 4-14a (3). No grade restriction exists, but the IASO must be a U.S. citizen with no less than a completed National Security Check (NAC). In accordance with AR 25-2, paragraph 4-3, all individuals appointed as IASOs must successfully complete an IA security certification course equivalent to the duties assigned to them. A copy of the training certificate must go to PM IGNET. As part of the IASO's routine duties, the IASO will—

- (a) **Ensure that all users meet the requirements for clearances, authorizations, need-to-know requirements, and security responsibilities before submitting the IGNET User Request Forms to the IGNET Information Assurance**

Manager (IAM)/Information Assurance Program Manager (IAPM). Since IGNET contains sensitive information, all users must have at least a completed or initiated NAC.

- (b) Disseminate and ensure the implementation of Army, DOIM, and DAIG information assurance (IA) policy and guidance.
 - (c) Ensure that all users have received training on IGNET and annual IA awareness training. IGNET training is part of the curriculum at TIGS, but those individuals who have not attended the school will receive training from the IASO.
 - (d) Assist the installation IAM/IAPM on the implementation and reporting of Information Assurance Vulnerability Management (IAVM).
 - (e) Inform the IGNET IAM of the IG's work-station configuration prior to changing it. This information is necessary to ensure that IGNET will continue to work with the new configuration such as upgrading an operating system from Windows 2000 to Windows Xp.
 - (f) Ensure that all information systems (user work stations) within the IASO's area of responsibility are accredited.
 - (g) Report security violations and incidents to the installation IAM/IAPM. If the violation or incident involves IGNET, report the event to the IGNET IAM/IAPM as well.
- (2) *Hardware maintenance.* **IGs** are responsible for coordinating hardware maintenance. Hardware used in the IG office may come from PM IGNET and/or a locally provided automation equipment source. In all cases, when the hardware is in warranty, the **IG** should coordinate directly with the warranty service provider in accordance with the warranty's provisions. When hardware is no longer in warranty and is not covered under command-wide tier III or other local maintenance contracts, the **IG** will coordinate with the IGNET Help Desk for support. When command-wide tier III maintenance support contracts or local DOIM installation-wide maintenance contracts are in effect, the **IG** will coordinate with the local DOIM as appropriate. **IGs** should obtain diagnostic support by contacting their local DOIM or the IGNET help desk.
- (3) *Intranet services.* IGs may establish an Intranet homepage on the IRMD-maintained Intranet server to share information with other IGs (contact DAIG's IRMD for further guidance). IGs can also establish a separate homepage on a command- or DOIM-maintained World-Wide-Web server to provide common-use unrestricted information. Command and State IGs will not implement a separate World-Wide-Web server on any IGNET server or user workstation.

c. DOIM.

- (1) The DOIM is responsible for providing and supporting the installation-wide network infrastructure to which IGNET connects. This infrastructure includes the physical network cable wiring. The DOIM is not responsible to provide **any IGNET-specific equipment**. For the purpose of this chapter, DOIM is used inclusively for the functionally responsible office that provides DOIM-like services and management. For example, not all installations/agencies have DOIMs but instead may have an Information Management Directorate (IMD), G6-IR, and so forth.
- (2) The DOIM must coordinate with PM IGNET whenever the DOIM makes changes to the installation network infrastructure, operating system, or hardware that affect the connectivity or functionality of IGNET systems.

11-4. Security

- a. The protection of sensitive IG data processed on the IGNET is essential to the integrity of the IG system. The security of IGNET includes physical security of automatic data processing (ADP) equipment, data security, and information security. The IGNET architecture is designed conceptually to use common communications channels whenever possible. WAN connectivity across installation networks requires that specific IGNET hardware and software implementation is coordinated with the local supporting

DOIM to ensure the protection of IG data while allowing **the complete functioning of the** IGMET WAN.

- b. Physical security is mainly concerned with ensuring that—
- (1) Servers and computers that process or store IG data are physically secured within IG offices **by the local DOIM with a support agreement in place** or in an access-controlled room space or equipment closets.
 - (2) Access to IG software, hardware, data, and information is limited to IGs, personnel supervised by IGs, **and members of the local DOIM**. This **limited access** does not preclude **admitting personnel who have signed a non-disclosure statement to perform** hardware or software support maintenance on warranty. When non-IG personnel perform such maintenance, an IG will observe them.
 - (3) WAN connectivity will occur by connecting the IG **work stations** to the installation **work stations**. PM IGMET may also coordinate the installation of additional security measures such as firewall software and encryption hardware/software as necessary to meet specific site or IGMET requirements. PM IGMET retains exclusive configuration control of IGMET-provided routers or other IGMET security devices. Implementation of the router or any other security enhancement will be coordinated with the DOIM to ensure compatibility with local network infrastructure. Local DOIMs may introduce additional security systems to protect installation network infrastructure but must not block IGMET connectivity. PM IGMET and the local DOIM will coordinate feasible configurations and technical implementations to avoid compromising IGMET functionality or security.
 - (4) Many installation networks are migrating to V-LAN or similar technologies. These emerging technologies provide significant operational benefits to the local DOIM in allowing centralized LAN management, maintenance, and security. They also introduce internal operational security concerns regarding potential non-IG access to IG data. When IGMET WAN connectivity must operate across a V-LAN, the DOIM and PM IGMET will coordinate and approve a configuration and procedures to secure IG data and information.
 - (5) PM IGMET will configure IGMET sites that require dial-up connectivity due to the unavailability of WAN connectivity and coordinate with the supporting DOIM for appropriate switched telephone lines.
 - (6) Facsimile modems will not be installed in IGMET servers or workstations without **PM IGMET's approval of the** configuration and implementation. Unapproved installations of facsimile modems create possible backdoor entry points for intrusion into IGMET and installation networks.
- c. Data and information security considerations follow.
- (1) AR 380–5 and **AR 25–2** are the governing regulations for security (contact DAIG's IRMD for additional IGMET operational security guidance).
 - (2) Only IG offices will have access to the IGMET system. Only designated IGs in these offices will **have** access to automated IG records or data.
 - (3) The IGMET is an accredited FOUO system that processes Sensitive but Unclassified (SBU) information. Its level of criticality is Group III—Mission Impaired. TIG is the Designated Approving Authority for IGMET accreditation. The Certifying Official for IGMET accreditation is the Chief, IRMD.
 - (4) Classified data will not be entered into IGMET. **A classified IGMET system does not exist; however, IGs can process classified data on approved classified systems.**
 - (5) IGs will ensure that IG data stored in portable computers is afforded the same confidentiality and protection as other IG records.
 - (6) IGs will handle all magnetic data storage media containing IG data in accordance with the IGMET security procedures whenever **these media** are replaced, repaired, or disposed (contact DAIG's IRMD for further guidance).

11-5. Enhancements

- a. IGs will not change IGMET hardware or software configurations without PM IGMET approval, to include the introduction of command-unique or COTS software that might be incompatible with, or damaging to, the IGMET system. When approved, all non-IGMET software must be maintained in accordance with its appropriate license provisions.
- b. IGs will request specific hardware and software requirements to meet their specific IG mission from PM IGMET. IGs must coordinate with the local DOIM for lifecycle IT equipment upgrades and replacements and notify PM IGMET of any hardware and software changes.**

Chapter 12

Department of Defense Inspector General Semiannual Report to the Congress

12-1. Semiannual report requirements

TIG is required by Section 5, 5 USC, Appendix 3, **and DODI 7750.6, Information Requirements for the Semiannual Report to Congress, 27 April 1990**, to submit semiannual reports to the IG, DOD, summarizing the significant activities of **Army** inspectors and their efforts to curb fraud, waste, and mismanagement. TIG must submit these semiannual reports to IG, DOD, not later than 15 April and 15 October for the 6-month periods ending **30 March and 30 September** (with the exception of the U.S. Army Audit Agency, which uses cutoff dates of 31 March and 30 September). TIG is responsible for **consolidating the inspection information for the total Army**.

Appendix A

References

Section I

Required Publications

AR 1-201

Army Inspection Policy. (Cited in paras)

AR 36-2

Audit Reports and Follow-up. (Cited in)

AR 381-10

US Army Intelligence Activities. (Cited in paras)

Section II

Related Publications

A related publication is a source of additional information. The user does not have to read a related publication to understand this regulation.

AR 1-20

Legislative Liaison

AR 10-5

Headquarters, Department of the Army

AR 10-87

Major Army Commands in the Continental United States

AR 11-2

Management Control

AR 11-7

Internal Review and Audit Compliance Program

AR 15-6

Procedures for Investigating Officers and Boards of Officers

AR 15-180

Army Discharge Review Board

AR 15-185

Army Board for Correction of Military Records

AR 25-1

Army Knowledge Management and Information Technology Management

AR 25-2

Information Assurance

AR 25-55

The Department of the Army Freedom of Information Act Program

AR 25-400-2

The Army Records Information Management System

AR 27-1

Judge Advocate Legal Services

AR 27-26

Rules of Professional Conduct for Lawyers

AR 27-10

Military Justice

AR 27-20

Claims

AR 27-40

Litigation

AR 40-66

Medical Record Administration and Health Care Documentation

AR 50-5

Nuclear Surety

AR 50-6

Chemical Surety

AR 50-7

Army Reactor Program

AR 71-32

Force Development and Documentation—Consolidated Policies

AR 140-10

Assignments, Attachments, Details, and Transfers

AR 190-30

Military Police Investigations

AR 190-54

Security of Nuclear Reactors and Special Nuclear Materials

AR 190-59

Chemical Agent Security Program

AR 195-2

Criminal Investigation Activities

AR 220-5

Designation, Classification, and Change in Status of Units

AR 340-21

The Army Privacy Program

AR 350-1

Army Training and Education

AR 380-5

Department of the Army Information Security Program

AR 380-381

Special Access Programs (SAPs) and Sensitive Activities (SAs)

AR 381-102

The U.S. Army Cover Support Program (classified Secret)

AR 385-10

The Army Safety Program

AR 385-61

The Army Chemical Agent Safety Program

AR 530-1

Operations Security (OPSEC)

AR 570-4

Manpower Management

AR 600-8-2

Suspension of Favorable Personnel Actions (Flags)

AR 600-8-19

Enlisted Promotions and Reductions

AR 600-8-24

Officer Transfers and Discharges

AR 600-8-29

Officer Promotions

AR 600-8-104

Military Personnel Information Management/Records

AR 600-9

The Army Weight Control Program

AR 600-15

Indebtedness of Military Personnel

AR 600-20

Army Command Policy

AR 600-37

Unfavorable Information

AR 600-85

Army Substance Abuse Program (ASAP)

AR 601-10

Management and Mobilization of Retired Soldiers of the Army

AR 601-280

Army Retention Program

AR 608-99

Family Support, Child Custody, and Paternity

AR 614-30

Overseas Service

AR 614-100

Officers Assignment Policies, Details and Transfers

AR 614-115

Military Intelligence Excepted Career Program (Great Skill) (classified Secret)

AR 614-200

Enlisted Assignments and Utilization Management

AR 623-105

Officer Evaluation Reporting System

AR 623-205

Noncommissioned Officer Evaluation Reporting System

AR 635-200

Active Duty Enlisted Administrative Separations

AR 670-1

Wear and Appearance of Army Uniforms and Insignia

AR 690-600

Equal Employment Opportunity Discrimination Complaints

AR 690-950-19-1

Military Intelligence Civilian Excepted Career Program

AR 735-5

Policies and Procedures for Property Accountability

The Assistance and Investigations Guide

Copies are available from The Inspector General School (ATTN: SAIG–TR), 5500 21st Street, Fort Belvoir, Virginia 22060-5935.

CJCSI 1301.01C

Individual Augmentation Procedures

CJCSM 3500.05

Joint Task Force Headquarters Master Training Guide

DA Pam 385-61

Toxic Chemical Agent Safety Standards

DA PAM 500-5-1

Individual Augmentation Management

DA Pam 600-69

Unit Climate Profile Commander's Handbook

DOD 1400.25-M

Department of Defense Civilian Personnel Manual (CPM) System

DOD 5240.1-R

DOD Intelligence Activities

DOD 5400.7-R

DOD Freedom of Information Act Program

DOD 5500.7-R

Joint Ethics Regulation (JER)

DODD 1401.3

Reprisal Protection for Nonappropriated Fund Instrumentality Employees/Applicants

DODD 5100.77

DOD Law of War Program

DODD 5210.63

Security of Nuclear Reactors and Special Nuclear Materials

DODD 5405.2

Release of Official Information in Litigation and Testimony by DOD Personnel as Witnesses

DODD 5500.7

Standards of Conduct

DODD 5505.6

Investigations of Allegations Against Senior Officials of the Department of Defense

DODD 6490.1

Mental Health Evaluations of Members of the Armed Forces

DODD 7050.1

Defense Hotline Program

DODD 7050.6

Military Whistleblower Protection

DODI 6490.4

Requirements for Mental Health Evaluations of Members of the Armed Forces

DODI 7750.6

Information Requirements for the Semiannual Report to Congress

FM 3-0

Operations

FM 7-0

Training the Force

FM 7-1

Battle Focused Training

FM 71-100

Division Operations

FM 100-15

Corps Operations

The Inspections Guide

Copies are available from The Inspector General School (ATTN: SAIG–TR), 5500 21st Street, Fort Belvoir, Virginia 22060-5935.

JP 3-0

Doctrine for Joint Operations

Memorandum of Agreement Between the Assistant Secretary of the Army for Acquisition, Logistics, and Technology and the Commander, U.S. Army Materiel Command, SUBJECT: Life-Cycle Management (LCM) Initiative, dated 2 August 2004

NGR 10-2

State Area Command, Army National Guard. Obtain from Internet site www.ngbpdc.ngb.army.mil/arngfiles.asp.

NGR 20-10/ANGI 14-101

Inspector General Intelligence Oversight Procedures. Obtain from Internet site www.ngbpdc.ngb.army.mil/arngfiles.asp.

NGR (AR) 600-5

The Active Guard/Reserve (AGR) Program, Title 32, Full-time National Guard Duty (FTNGD). Obtain from Internet site www.ngbpdc.ngb.army.mil/arngfiles.asp.

NGR (AR) 600-21

Equal Opportunity Program in the Army National Guard. Obtain from Internet site www.ngbpdc.ngb.army.mil/arngfiles.asp.

NGR 600-22

National Guard Military Discrimination Complaint System. Obtain from Internet site www.ngbpdc.ngb.army.mil/arngfiles.asp.

NGR 600-23

Nondiscrimination in Federally Assisted Programs. Obtain from Internet site www.ngbpdc.ngb.army.mil/arngfiles.asp.

NGR (AR) 600-100

Commissioned Officers—Federal Recognition and Related Personnel Actions. Obtain from Internet site www.ngbpdc.ngb.army.mil/arngfiles.asp.

NGR 635-101

Efficiency and Physical Fitness Boards. Obtain from Internet site www.ngbpdc.ngb.army.mil/arngfiles.asp.

Section III

Prescribed Forms

DA Form 1559

Inspector General Action Request. (Prescribed in paras)

DA Form 5097

The Inspector General Oath. (Prescribed in para)

DA Form 5097-1

Inspector General Oath (Non-IG). (Prescribed in para)

DA Form 5097-2

Inspector General Oath (Acting IG). (Prescribed in para)

DA Form 7433

Privacy Act Information Release Statement. (Prescribed in para 4–2)

Section IV

Referenced Forms

DA Form 2A

Personnel Qualification Record, Part I—Enlisted Peacetime (**not found on APD Web site**)

DA Form 2-1

Personnel Qualification Record, Part II

DA Form 11-2

Management Control Evaluation Certification Statement

DA Form 3881

Rights Warning Procedure/Waiver Certificate

Appendix B

Army Management Control Evaluation Checklist

B-1. Function

The management control function covered by this checklist is Inspector General Operations.

B-2. Purpose

The purpose of this checklist is to assist assessable unit managers and management control administrators in evaluating the key management controls identified below. This checklist is not intended to address all controls.

B-3. Instructions

Answers must be based on the actual testing of key management controls (for example, document analysis, direct observation, sampling, and simulation). Answers that indicate deficiencies must be explained and corrective action indicated in supporting documentation. These controls must be formally evaluated at least once every 5 years. Certification that this evaluation has been conducted must be accomplished on DA Form 11-2, Management Control Evaluation Certification Statement.

B-4. Test questions

a. Training.

- (1) Have all detailed and assistant IGs and temporary assistant IGs serving longer than 180 days completed the resident Inspector General school?
- (2) Is a training program in place that ensures that a detailed IG trains acting IGs?
- (3) Are procedures in place to ensure that all personnel assigned IG duties are properly trained and utilized?
- (4) Are procedures in place to ensure that administrative support employees are not performing IG functions?

b. Inspections.

- (1) Are IG inspections planned and integrated into the unit's Organizational Inspection Program (OIP)?
- (2) Are IG inspections oriented toward systemic issues and designed to determine the root causes of any noted problems or deficiencies?
- (3) Is the IG teaching and training function used as part of the inspections process?
- (4) Are the results of IG inspections provided as feedback to all affected personnel and organizations?
- (5) Are IG inspectors provided sufficient train-up time for all inspections?
- (6) If required, are inspection teams augmented with subject-matter experts?
- (7) Are technical inspections conducted in accordance with applicable regulations and within the required time frame? **(applies to DAIG only)**
- (8) Are procedures in place to ensure that follow-up is conducted?

c. Intelligence oversight.

- (1) Has the IG identified all intelligence organizations subject to intelligence oversight inspection by the command?
- (2) Is intelligence oversight included as part of the command's OIP?
- (3) Are procedures in place for determining if intelligence and supporting SJA personnel of organizations understand and comply with the procedures in AR 381-10, U.S. Army Intelligence Activities?
- (4) Are procedures in place for determining if all intelligence personnel are trained in intelligence oversight upon initial assignment and periodically thereafter?
- (5) Are questionable activities and Federal crimes committed by intelligence personnel reported as required under AR 381-10?
- (6) Are procedures in place to ensure that follow-up is conducted?

d. Investigations.

- (1) Are procedures in place to ensure that all IG investigations and inquiries are performed in accordance with applicable regulations and with proper authority?
- (2) Are allegations against any senior official (GO or SES) forwarded to DAIG's Investigations Division in accordance with established standards?
- (3) Are allegations against officers in the grades of major to colonel **and noncommissioned officers in the grades of MSG, 1SG, SGM, and CSM** forwarded to DAIG's Assistance Division within established standards?
- (4) Are the procedures outlined in AR 20–1 followed during the course of an investigation or inquiry?
- (5) Are all pieces of evidence and other information collected properly marked and safeguarded?
- (6) When necessary, are individuals advised of their rights and afforded due process?
- (7) Are all Reports of Investigation or Investigative Inquiry prepared and distributed in accordance with AR 20–1?
- (8) Is a written legal review provided by SJA on all investigations and inquiries?
- (9) Is a directive for investigation obtained when required?
- (10) Are all notifications made as outlined in AR 20–1 and The Assistance and Investigations Guide?
- (11) Does the organization complete whistleblower reprisal investigations in accordance with DODD 7050.6, Military Whistleblower Protection?
- (12) Does the organization comply with DODD 6490.1, Mental Health Evaluations of Members of the Armed Forces, when conducting inquiries into allegations concerning mental health evaluations?

e. Assistance.

- (1) Is the IG teaching and training function used with the IG assistance function?
- (2) Are requests for assistance that fall under another agency's purview referred as appropriate?
- (3) Are requests for assistance analyzed to identify any systemic issues or trends?
- (4) Are procedures in place to ensure that IGs follow up on assistance requests?

f. Information resources.

- (1) Is automation equipment properly accounted for and operational?
- (2) Has correct information been provided to DAIG's IRMD with regard to local IG automation resources?
- (3) Is all required data from investigations and assistance cases entered into the Inspector General Action Request System (IGARS) database?
- (4) Are procedures in place to ensure that IGMET security (both physical and data) is maintained?
- (5) Are procedures in place to safeguard and protect IG files and information?
- (6) Are IG files and documents properly marked, stored, and **destroyed** in accordance with applicable regulations?

g. Legal.

- (1) Are IG records released under the Freedom of Information Act (FOIA) or For Official Use Only (FOUO) as authorized? (Applies to DAIG only.)
- (2) Are all FOIA requests received by field IG offices transferred to DAIG's Records Release Office for action?

B-5. Supersession

This checklist replaces the checklist previously published in the DA Circular 11-series.

B-6. Comments

Submit comments to make this checklist a better tool for evaluating management controls to The Inspector General (ATTN: SAIG–OP).

Appendix C

Nomination Procedures

U.S. Army Human Resources Command (USAHRC) nominates detailed IGs, assistant IGs, or temporary assistant IGs for more than 180 days for active Army assignments either as a result of the requisition process or the identification of a local nominee by the commander. USAHRC-St. Louis nominates detailed IGs or assistant IGs for USAR AGR assignments as a result of the requisition process.

C-1. Local nomination

When a local nomination is made, the requisitioning authority will send a nomination memorandum to USAHRC. The memorandums will be forwarded to USAHRC as follows:

- a. Memorandums for soldiers in the grade of staff sergeant (P) through master sergeant will be addressed to USAHRC, ATTN: AHRC-EPC-G, 2641 Eisenhower Avenue, Alexandria, Virginia 22331.
- b. Memorandums for soldiers in the grade of master sergeant (P) and sergeant major will be addressed to USAHRC, ATTN: AHRC-EPS, 2642 Eisenhower Avenue, Alexandria, Virginia 22331.
- c. Memorandums for commissioned officers and warrant officers will be addressed to USAHRC, ATTN: AHRC-OPD-P, 200 Stovall Street, Alexandria, Virginia 22332.

C-2. Information for local nomination

A local nomination memorandum will contain the following information:

- a. Name, grade, social security number (SSN), military occupational specialty (MOS), or specialty code and branch of nominee.
- b. Unit and position for which nominated, TDA paragraph and line number, or temporary position and length of TDY assignment.
- c. Identification of incumbent if any.
- d. Point of contact.

C-3. Procedure for preparing nomination packets

USAHRC uses the same procedures to develop all nomination packets. USAHRC will prepare and forward to DAIG's Operations and Support Division (The Inspector General, ATTN: SAIG-OP, 1700 Army Pentagon, Washington, DC 20310-1700) a nomination packet that will include:

- a. An official DA photograph that is no more than 2 years old. If the nominee was promoted less than 6 months before the nomination for IG duty, the DA photograph at the nominee's previous grade is acceptable. If promoted more than 6 months prior to the nomination, a photograph at the new grade is required.
- b. Copies of OERs / NCOERs for the last 10 years.
- c. A memorandum signed by the commander if the nomination is local.
- d. Current height and weight data. If the nominee does not meet the height and weight standards as outlined in AR 600-9, a body-fat analysis sheet executed within the last 30 days is required as well.
- e. Physical profile.
- f. Current Army Physical Fitness Test (APFT) indicating pass or fail.
- g. Officer record brief (for officers only).
- h. Enlisted record brief (noncommissioned officers only).

C-4. Assignments of RC soldiers

- a. For assignment of a USAR soldier as a detailed IG, assistant IG, or temporary assistant IG, the nomination packet will be sent to the U.S. Army Reserve Command (USARC) IG through the U.S. Army Forces Command (FORSCOM) IG to The Inspector General (ATTN: SAIG-OP), 1700 Army Pentagon, Washington, DC 20310-1700. Nominations will be forwarded through the chain of command with recommendations.

- b. **For all uniformed ARNGUS personnel**, the nomination packet will be sent to Chief, National Guard Bureau (ATTN: NGB-IG), 2500 Army Pentagon, Washington, DC 20310-2500.
- c. For U.S. Army Special Operations Command (USASOC) RC soldiers, nomination packets will be sent through the **U.S. Army Civil Affairs and Psychological Operations Command (USACAPOC)** (ATTN: AOCP-IG) and USASOC (ATTN: AOIG), Fort Bragg, NC 28307-5200, **through the Office of the Inspector General, U.S. Army Reserve Command, 1410 Deshler Street SW, Fort McPherson, GA 30330**, to The Inspector General (ATTN: SAIG-OP), 1700 Army Pentagon, Washington, DC 20310-1700. Both USAR and AGR ARNGUS nomination packets will contain the same information as in paragraph C-3.

C-5. Security Clearance Requirements

All personnel nominated for IG duty must possess a valid security clearance at the level of Secret. Persons nominated for IG positions in DAIG's Intelligence Oversight Division and the U.S. Army Information and Security Command (INSCOM) must possess or be able to obtain a Top Secret security clearance based on a Single-Scope Background Investigation. Assignment to the division constitutes agreement to undergo random Counterintelligence Scope Polygraph examination.

Appendix D

Procedures for Investigations of Allegations of Impropriety Against Senior Officials

D-1. Information reported to DAIG

An Army organization or activity will report all allegations of impropriety received by any means, to include criminal allegations, made against senior Army officials, wherever assigned, to DAIG's Investigations Division within 2 working days of discovery or receipt. The report will include the following information:

- a. Name of the senior official involved.
- b. Rank or grade and duty position of the senior official.
- c. Organization and location of the senior official.
- d. Synopsis of the allegations and data received.
- e. Names and duty positions of persons receiving the allegations.

D-2. Report to senior leadership of the Army organization

The notification may be a copy of a report sent to the senior leadership of the Army organization if the information in paragraphs D-1a through D-1e above is included.

Glossary

Section I

Abbreviations

AAE

Arms, ammunition, and explosives

AAFES

Army and Air Force Exchange Service

ABCMR

Army Board for Correction of Military Records

ADAPCP

Alcohol and Drug Abuse Prevention and Control Program

ADP

automatic data processing

AEA

Army Enterprise Architecture

AFRC

Armed Forces Reserve Center

AG

Adjutant General

AGR

Active Guard Reserve

AIG

Acting IG

AMC

U.S. Army Materiel Command

ANG

Air National Guard

ARNGUS

Army National Guard of the United States

ARSTAF

Army Staff

ASA (RDA)

Assistant Secretary of the Army (Research, Development, and Acquisition)

ASI

additional skill identifier

CAR

Chief, Army Reserve

CFR

Code of Federal Regulations

CID

Criminal Investigation Division

CME

chemical management evaluation

CNGB

Chief, National Guard Bureau

COCOM

Combatant Command

CONUS

continental United States

CONUSA

the numbered armies in the continental United States

COOP

continuity of operations plan

COR

contracting officer representative

CPAC

civilian personnel advisory center

CPOC

civilian personnel operations center

CSA

Chief of Staff, U.S. Army

CSI

chemical surety inspection

CWO

chief warrant officer

DA

Department of the Army

DAIG

Department of the Army Inspector General

DFAS

Defense Finance and Accounting Service

DIS

Defense Investigative Service

DMS

Defense Messaging System

DNA

Defense Nuclear Agency

DOD

Department of Defense

DODD

Department of Defense directive

DODI

Department of Defense instruction

DOIM

director of information management

DSN

Defense Switched Network

DSS

Defense Security Service

DTIG

Deputy, The Inspector General

ECC

Executive Communications and Control

EEO

equal employment opportunity

EO

equal opportunity/Executive order

EOA

equal opportunity advisor

EUSA

Eighth U.S. Army

FOA

field operating agency

FOIA

Freedom of Information Act

FORSCOM

U.S. Army Forces Command

FOUO

For Official Use Only

FPM

Federal Personnel Manual

GAO

General **Accountability** Office

GO

General Officer

GS

General Schedule

HQ

headquarters

HQDA

Headquarters, Department of the Army

HRC

Human Resources Command

IA

individual augmentee

IG

inspector general

IG, DOD

Inspector General, Department of Defense.

IGAP

Inspector General Action Process

IGAR

Inspector General Action Request

IGARS

Inspector General Action Request System

IGNET

Inspector General Worldwide Network

IGPA

Inspector General Preliminary Analysis

IGPERS

Inspector General Personnel System

IMA

individual mobilization augmentee

IMD

Information Management Directorate

IMP

Information Management Plan

IPR

in-process review

IR

internal review

IRAC

Internal Review and Audit Compliance

IRR

individual ready reserve

JA

judge advocate

JMD

Joint Manning Document

JTF

Joint Task Force

JWICS

Joint World-Wide Intelligence Communications System

LAN

Local area network

LCMC
Lifecycle Management Command

LSSI
Limited-Scope Surety Inspection

MACOM
major Army command

MC
Member of Congress

MCM
Manual for Courts-Martial

M-day
mobilization day

METL
mission essential task list

MHE
mental health evaluation

MILPO
military personnel office

MOA
Memorandum of Agreement

MOS
military occupational specialty

MOU
Memorandum of Understanding

MP
military police

MPI
military police investigator

MSC
major subordinate command

MSPB
Merit Systems Protection Board

MTOE
modification table of organization and equipment

NAC
National **agency** check

NAF
nonappropriated fund

NCO
noncommissioned officer

NCOER

Noncommissioned Officer Evaluation Report

NCOIC

noncommissioned officer in charge

NCR

National Capital Region

NG

National Guard

NGB

National Guard Bureau

NGR

National Guard regulation

NME

nuclear management evaluation

NOC

Network operations center

NSCAI

Non-surety chemical agent inspection

NSI

nuclear surety inspection

OCAR

Office of the Chief, Army Reserve

OCLL

Office of the Chief of Legislative Liaison

OCONUS

outside continental United States

OER

officer evaluation report

OGC

Office of The General Counsel, Army

OJT

on-the-job training

OPLAN

operations plan

OPORD

operations order

ORB

Officer Record Brief

OSC

Office of Special Counsel

OTIG

Office of The Inspector General

PA

Privacy Act

PAO

Public Affairs Office/public affairs officer

PBAC

Program Budget Advisory Committee

PCS

permanent change of station

PEO

program executive officer

PM

program manager

POC

point of contact

POI

program of instruction

POM

Program Objective Memorandum

RA

Regular Army

RC

Reserve Components

RDA

Research, Development, and Acquisition

RFI

Reactor Facility Inspection

ROI

Report of Investigation

ROII

Report of Investigative Inquiry

SA

Secretary of the Army

SA

Sensitive Activity

SAIG

Secretary of the Army Inspector General

SAP

Special Access Program

SASO

support and stability operations

SBU

Sensitive But Unclassified

SCR

system change requests

SECDEF

Secretary of Defense

SES

Senior Executive Service

SGE

Special Governmental Employee

SIPRNET

Secret Internet Protocol Router Network (SIPRNET)

SJA

staff judge advocate

SOP

standing operating procedure

SQI

special qualification identifier

SQT

Skill Qualification Test

SSN

social security number

TAG

The Adjutant General

TB

Technical Bulletin

TDA

table of distribution and allowances

TDY

temporary duty

TIG

The Inspector General

TJAG

The Judge Advocate General

TMDE

Test, Measurement, and Diagnostic Equipment

TOE

table of organization and equipment

TPU

troop program unit

TRADOC

U.S. Army Training and Doctrine Command

UCMJ

Uniform Code of Military Justice

UIC

unit identification code

USAAA

U.S. Army Audit Agency

USACIDC

U.S. Army Criminal Investigation Command

USAF

U.S. Air Force

USAIGA

U.S. Army Inspector General Agency

USAR

U.S. Army Reserve

USARC

U.S. Army Reserve Command

USARPAC

U.S. Army Pacific

USAREUR

U.S. Army Europe

USARSO

U.S. Army South

USASL

U.S. Army Standards Laboratory

USASOC

U.S. Army Special Operations Command

USofA

Under Secretary of the Army

USC

United States Code

USPFO

United States Property and Fiscal Officer

VCSA

Vice Chief of Staff, U.S. Army

WHLO

White House Liaison Office

WIAS

Worldwide Individual Augmentee System

WO

warrant officer

XO

executive officer

Section II

Terms

Abuse

Intentional or improper use of Government resources. Examples include misuse of grade, position, or authority or misuse of resources such as tools, vehicles, or copying machines.

Action memorandum

The action memorandum is an internal, administrative decision memorandum to the directing authority used in conjunction with the directive that authorizes an IG investigation. It provides a summary of the complaint, known facts, and issues, and defines the scope and limits of the investigation into the allegations specified in the memorandum.

Adverse action

For this regulation, adverse action is any personnel action, administrative or judicial, that takes away an entitlement, results in an entry or document added to the affected person's official personnel records that boards or superiors could consider negative, or permits the affected person to rebut or appeal the action. "Personnel action" includes actions defined in 5 USC 2302 as well as in DODD 7050.6. E1.1.7. Adverse action includes "unfavorable information" as described in AR 600-37, UCMJ action, or, with regard to civilian employees, "disciplinary action" pursuant to AR 690-700 and DOD 1400.25-M. Other actions include a promotion; a transfer or reassignment; a performance evaluation; a decision on pay, benefits, awards, or training; referral for mental health evaluations under DODD 6490.1; and any other significant change in duties or responsibilities inconsistent with the military member's rank. A commander or supervisor desiring to take such action against an individual based on an IG document requires TIG release of that document.

Allegation

An allegation is a statement or assertion of wrongdoing by an individual formulated by the IG. An allegation contains four essential elements: who, improperly, did or failed to do what, in violation of an established standard. The IG refines allegations based upon evidence gathered during the course of an investigation or inquiry.

Army senior leadership concerns

Topics in which senior leaders have expressed interest or concern to TIG. These are issues for which IGs should be aware and, as appropriate, include in their inspections. These issues will be updated in IG publications.

Assistance inquiry

An informal fact-finding process used to address or respond to a complaint involving a request for help, information, or issues and not allegations of impropriety or wrongdoing.

Audit

The independent appraisal activity within the Army for the review of financial, accounting, and other operations as a basis for protective and constructive service to command and management at all levels.

Chemical management evaluation

An evaluation to determine the adequacy of support, technical guidance, and command guidance and to identify management, systemic, or functional problem areas in the Army Chemical Surety Program at any level.

Chemical surety inspection

Inspection of chemical surety organizations in the Army to determine their capability to accomplish assigned chemical missions in a safe and secure environment through examination of

the following functional areas: mission operations, safety, security, surety management, and accident and incident control. The USAIGA or the MACOM IG offices conducts these inspections.

Chemical Surety Program Inspection

A chemical surety inspection (CSI) or a limited scope surety inspection (LSSI) of an organization with a chemical surety mission.

Closed Without Findings

An inquiry or investigation into an allegation of impropriety is terminated (or closed without findings) prior to conclusion due to time (older than 3 years), a court order or Government settlement, or referral to another command or agency as part of a larger systemic issue.

Command IG

The senior, detailed IG of a MTOE or TDA organization of the active Army or USAR. The command IG works directly for the commander, who is normally a commanding general, installation commander, or director of an organization.

Complainant

Any person or organization submitting an IGAR. The person can be a soldier, family member, member of another Service, Government employee, or member of the general public. The organization can be any public or private entity.

Complaint

An expression of dissatisfaction or discontent with a process or system such as leave policies or the pay system.

Corrective action

Any action deemed necessary to rectify a violation or deficiency or to provide redress, to include changes in regulations or practices, administrative or disciplinary action against offending personnel, or referral to responsible officials or agencies for appropriate remedial action.

DAIG

Department of the Army Inspector General (DAIG) is used when combining the Office of the Inspector General (OTIG) and the U.S. Army Inspector General Agency (USAIGA).

Directing authority

An Army official who has authority to direct an IG investigation or inspection. At DA, directing authorities are SA, USofA, CSA, VCSA and TIG. Commanders or directors who are authorized detailed IGs on their staffs may direct IG investigations and IG inspections within their commands. **A directing authority may delegate his or her directing and approval authority, in writing, to a deputy commander.** SA, USofA, CSA, VCSA, and TIG may direct IG investigations and IG inspections within subordinate commands as necessary. Although command and State IGs may direct IG investigative inquiries, they are not considered directing authorities. **When a rear detachment or rear unit commander is appointed in accordance with AR 220-5, paragraph 2-5, that commander becomes a directing authority for the rear-area IG.**

Directive

A directive authorizes an IG investigation or IG inspection and represents the investigator's authority to investigate specific allegations and the inspector's authority to conduct an IG inspection.

Federal interest

As used in this regulation, the term means those areas in which the Federal Government has legitimate concern. By definition, if the matter is not of Federal interest, it is a matter of State interest. In the abstract, the role of the active Army IG in Army National Guard (ARNG) matters is relatively simple. If the issue is of Federal interest, the active Army IG may inspect, investigate, or assist. If the issue is not a matter of Federal interest, the active Army IG cannot act. Application of the simple contact principle is not so easy. Lines of demarcation cannot be drawn, so IGs must examine each case independently to determine if the matter is of Federal interest. The authority of the active IG to act in ARNG matters is very broad but not without limitations. All questions of Federal versus State interest will be discussed with the SJA office.

a. Under regulations prescribed by the SA, the SA may have an inspection conducted by IGs or, if necessary, by any other commissioned officers of the Regular Army detailed for that purpose, to determine whether—

- (1) The amount and condition of property held by the ARNG are satisfactory;
- (2) The ARNG is organized as provided in this title;
- (3) The members of the ARNG meet prescribed physical and other qualifications;
- (4) The ARNG and its organization are properly uniformed, armed, and equipped and are being trained and instructed for active duty in the field, or for coast defense;
- (5) ARNG records are being kept in accordance with this title; and
- (6) The accounts and records of each U.S. Property and Fiscal Officer (USPFO) and property are maintained.

b. Based on the above, the following are included within the area of Federal interest: the organization, training, operations, supply, procurement, and fiscal matters connected with ARNG; examination of material prepared relevant to the returns and reports State AGs are required to make to the SA; activities that, if true, would be a basis for withdrawal of Federal recognition; and exercise of the command function although generally a matter of State interest. These include, but are not limited to, substandard performance of duty and moral or professional dereliction. (For further guidance, contact the Chief, National Guard Bureau (ATTN: NGB-IG), Suite 1 1600, 1411 Jefferson Davis Highway, Arlington, VA 22202-3259.)

Followup inspection

An inspection of the action taken to correct deficiencies found during a previous inspection. Its aim is to assess whether the corrective action is effective and complete; is producing the desired results; is not causing new problems; and is economical, efficient, practical, and feasible.

Founded

Refers to a problem or complaint that has merit and that the IG is able to resolve. The IG's inquiry into the issue should yield enough evidence to determine if the complaint or problem is valid and appropriate for IG action.

Fraud

Any intentional deception designed to deprive the United States unlawfully of something of value or to secure from the United States for an individual a benefit, privilege, allowance, or consideration to which he or she is not entitled. Such practices include, but are not limited to, the offer, payment, or acceptance of bribes or gratuities; making false statements; submitting false claims; using false weights or measures; evading or corrupting inspectors or other officials; deceit either by suppressing the truth or misrepresenting material fact; adulterating or substituting materials; falsifying records and books or accounts; arranging for secret profits, kickbacks, or commissions; and conspiring to use any of these devices. The term also includes conflict of interest cases, criminal irregularities, and the unauthorized disclosure of official information relating to procurement and disposal matters.

General inspection

A comprehensive inspection focused on the overall economy, efficiency, discipline, morale or readiness aspects of a unit, organization, or activity. The objective of a general inspection is to produce a comprehensive picture of the unit's status at that time. **This type of inspection is compliance-oriented by nature.**

Handoff

An administrative procedure that transfers a verified finding that is beyond the authority or ability of the inspecting command to change from one command or agency IG to another command or agency. **The finding is verified once the directing authority approves it.**

IG assistance function

The process of receiving, inquiring into, and responding to complaints and requests for information or help that are presented or referred to an IG. IGs provide assistance on an area basis so that complainants can go to the nearest IG for help.

IG inquiry

An assistance inquiry or investigative inquiry conducted by an IG (see assistance inquiry and investigative inquiry).

IG inspection

An inspection conducted by a detailed IG that focuses on the identification of problems, the determination of their root causes, the development of possible solutions, and the assignment of responsibilities for correcting the problems. IGs normally conduct special inspections of systemic issues that affect a particular functional area such as logistics, personnel, maintenance, training, etc. The IG's commander approves the scope and content of all IG inspections. IGs generally do not perform compliance-oriented general inspections of units, organizations, and activities but instead defer those inspections to commanders in accordance with AR 1-201.

IG inspection function

The process of developing and implementing IG inspection programs, conducting IG inspections, and providing oversight of the OIP and intelligence activities.

IG investigation

A fact-finding examination by a detailed IG into allegations, issues, or adverse conditions to provide the directing authority a sound basis for decisions and actions. IG investigations normally address allegations of wrongdoing by an individual and are authorized by written directives. The conduct of IG investigations involves the systematic collection and examination of documents and sworn, recorded testimony and may incorporate physical evidence. IGs report the results using the ROI format addressed in chapter 8 of this regulation.

IG investigations function

The process of receiving, examining, and responding to allegations, issues, or adverse conditions presented or referred to an IG. The investigations function encompasses IG investigations and IG investigative inquiries.

IG office of inquiry

The IG office that actually works a case. The office of inquiry is not always the office of record; in such cases, the office of inquiry will forward to the office of record the completed IG product (assistance inquiry, ROI, etc.) for final disposition by the office of record, to include making final notifications.

IG office of record

The IG office in which the IGAR originated. This office is responsible for the final disposition of the case (or cases), to include data entry into IGARS and making final

notifications. For every IGAR, there can be only one IG office of record although more than one IG office may maintain a copy of the record. When the IGAR or IG record falls within more than one commander's sphere of activity, the IG office of record is the highest level IG office that assumes responsibility for the IGAR even though the higher echelon IG may ask or direct the lower command level IG to work the IGAR or assist in the resolution process **as the office of inquiry. In these cases, the office of record will receive and use the office of inquiry's final product to close the case.** Except for TIG, IGs referring IGARs to IG offices at higher, lower, or adjacent levels for resolution should request, but cannot direct, that the other IG office serve as the IG office of record.

Individual augmentee

An unfunded, temporary duty position identify on a supported Combatant Command's Joint Manning Document (JMD) to augment staff operations during contingency missions.

Information management plan

The IMP is the basic document used to identify information requirement initiatives in the Sustaining Base Environment. User-originated information requirement initiatives are validated within the user's parent MACOM IMP.

Initiator

The actual source of the IGAR for entry on DA Form 1559. Normally, the complainant is also the initiator of an IGAR. However, a third party such as a relative of the complainant may be the initiator.

Inspector General Action Request

A complaint, allegation, or request for information or help presented or referred to an IG. An IGAR may be submitted in person, over the telephone, in writing, by e-mail, or through a DOD Hotline referral.

Inspector General Action Request System (IGARS)

Subsystem of IGMET that provides an automated means of recording, storing, and analyzing data pertaining to IG casework.

Inspector General Personnel System (IGPERS)

Subsystem of IGMET that stores and retrieves selected information on personnel assigned to the IG corps.

Inspector general records

IG records are any written, recorded, or electronic media information **gathered and produced by an IG.** These include, but are not limited to, any correspondence or documents received from a witness or a person requesting assistance; IG reports of inspection, inquiry, and investigation; IGMET or other computer ADP files or data; and DA Form 1559 when entries are made on either side. IG records may contain documents that an IG did not prepare. (See the definition of personal notes below.)

Inspector general referral

An administrative procedure in which an IG office refers a case to another IG office while retaining office of record status (meaning that the IG office receiving the referral is the office of inquiry); these types of referrals may only occur within a vertical echelon of command such as MACOM to corps [UEy] to division [UEx]. An IG office may refer a case horizontally to another echelon of command (such as from one MACOM echelon of command to another) but only with full office of record status for the gaining IG office. In all cases, the gaining IG office must agree to accept the case.

Inspector general system

The four Army IG functions as executed by all Army IGs over whom TIG has policy oversight and certification authority. IGs work for their respective commanders but must adhere to IG policy as established and promulgated by TIG.

Inspector general technical channels

Relationship among IGs throughout the Army. Connotes a confidential channel for passing IG information.

Inspector General Worldwide Network (IGNET)

An information management system designed to support IG data collection, analysis, communication, and administrative requirements. The IGNET database uses both manual and automated techniques to record selected data generated as a result of IG activities. This data is processed to produce management information products at each IG office.

Investigative inquiry

A fact-finding examination by an IG into allegations, issues, or adverse conditions. The investigative inquiry is the fact-finding process followed by IGs to gather information needed to address allegations of impropriety against an individual that do not require a **formal** investigation. The process for an investigative inquiry is addressed in chapter 8 of this regulation.

Issue

An issue is a complaint, request for information, or request for assistance to the IG that does not list a who as the violator of a standard or policy.

Law of War

That part of international law that regulates the conduct of armed hostilities. The law of war encompasses all international law for the conduct of hostilities binding on the United States or its individual citizens, including treaties and international agreements to which the United States is a party, and applicable customary international law.

Legacy

Existing, and currently in place, hardware platforms with their associated software.

Machine room

Any physical room space where centralized computers and peripheral devices are located to support network operations. Typically, the room is physically separate and secure with dedicated climate control and power.

Mismanagement

A collective term covering acts of waste and abuse. Extravagant, careless, or needless expenditure of Government funds or the consumption or misuse of Government property or resources resulting from deficient practices, systems, controls, or decisions. Also includes abuse of authority or similar actions that do not involve criminal fraud.

Nuclear Management Evaluations

An evaluation to determine the adequacy of support, technical, and command guidance and to identify management, systemic, or functional problem areas in the Army Nuclear Surety Program at any level.

Nuclear Surety Program Inspection

Any of several types of nuclear-capable unit inspections, including Defense Nuclear Surety Inspections (DNSI), Joint Nuclear Surety Inspection (JNSI), nuclear surety inspection (NSI),

Reactor Facility Inspections (RFI), surveillance inspections (SI), and limited-scope surety inspections (LSSI).

Personal notes

Records or notes created or used by IGs that are not a part of IG records. Personal notes have these characteristics: used as a memory jogger by the writer only, destroyed at the writer's option, maintained separately from a file and kept in accordance with the IG office's SOP or indexing system, and not distributed to other IGs for their official use. Personal notes are not subject to release under the FOIA. (See AR 25-55.) **Email correspondence, whether transmitted on IGNET or not, are not personal notes and may be released under FOIA.**

Pre-decisional

Internal advice and recommendations, as contrasted with factual matters, pertaining to an agency decision-making process.

Program manager

Individual chartered by the SA who reports directly to the Program Executive Officer, who in turn reports to the Army Acquisition Executive.

Protected communication

- a. Any lawful communication to Member of Congress or an IG.
- b. A communication in which a member of the Armed Forces communicates information that the member reasonably believes provides evidence a violation of law or regulation, including sexual harassment or unlawful discrimination, gross mismanagement, a gross waste of funds or other resources, an abuse of authority, or a substantial and specific danger to public health or safety when such a communication is made to any of the following:
 - (1) A Member of Congress, an IG, or a member of a DOD audit, inspection, investigation, or law enforcement organization.
 - (2) Any other person or organization (including any person or organization in the chain of command) designated under Component regulations or other established administrative procedures (that is, EOA, safety officer, etc.) to receive such communications. (See AR 600-20 for definition of chain of command.)

Reclama

A request to have a finding reviewed for validity. The receiver or the subject/suspect of the finding disputes the validity of the finding or conclusion and seeks to have it overturned. The receiver or the subject/suspect provides actual facts and/or an interpretation of regulatory requirements in the reclama to challenge the finding.

Report of Investigation

Report of Investigation or Inquiry is a written report used by IGs to address allegations, issues, or adverse conditions to provide the directing authority a sound basis for decisions. The directing authority approves the ROI. The ROI format is addressed at chapter 8 of this regulation. IGs who investigate or inquire into issues and adverse conditions may use these same formats.

Report of Investigative Inquiry

Report of Investigative Inquiry is a written report used by IGs to address allegations, issues, or adverse conditions to provide the directing authority, command, or State IG a sound basis for decisions. The directing authority or command or State IG approves the ROII. The ROII format is addressed at chapter 8 of this regulation.

Root Cause

The reason why something was deficient or why a unit or individual was unable to comply with established standards. Identifying the root cause of a problem is an integral part of all IG inspections and forms the basis for recommendations that will solve the problem.

SAIG

Office symbol for OTIG and USAIGA.

Senior official

Includes general officers (Active Army and Reserve Components), colonels selected for promotion to brigadier general, retired general officers, and current or former civilian employees of the Department of the Army SES or equal positions and comparable political appointees.

Sensing session

A group interview conducted by IGs to gather information from specific individuals based upon grade, gender, race and other criteria established by the IG. IGs use sensing sessions as an information-gathering domain for all IG functions, especially for the IG inspections function.

Special inspection

An inspection of a function or set of functions that focuses on a specific problem area or topic rather than on a unit. Its scope is limited and specifically defined.

Special subjects for inspection

Specific areas within the Army community that Army senior leaders have identified as having Army-wide systemic implications. Also, issues into which TIG has designated IGs to inquire. These topics are updated in IG publications. TIG may require feedback from IGs in the field.

State Adjutant General

Includes The Adjutant General (TAG) of a State, the Commonwealth of Puerto Rico, or territory who is the senior National Guard officer and a State official whose authority is recognized in Federal law. The State, territory, or commonwealth governor appoints TAGs with the exceptions of South Carolina (where they are elected in a general election) and in Vermont (where the State legislature elects them). The senior National Guard officer in the District of Columbia, the Commanding General, is appointed by the President and serves in a role similar to that of a TAG.

State IG

The active Army senior detailed IG (normally a colonel or lieutenant colonel) of a State, commonwealth, territory, or District of Columbia. The State IG normally works directly for the State AG; in addition, the CNGB is the State IG's senior rater. All States do not have active Army State IGs.

State interest

The limited number of activities from which active Army IGs are prevented from inspecting, investigating, or assisting. (See Federal interest.) An example of a State interest is the funds derived from the rental of armory facilities for public or private use.

Systemic issue

Situation evidenced by a failure, through a pattern of non-compliance, of an established process or system to function as designed and which does not entail an allegation of impropriety against an individual. **The functional system may suffer from various problems at several command echelons, which means that the problems are beyond the ability of local commanders to solve. IGs inspect these systemic issues after problems arise at several levels within the command in order to identify the disruptions in the system (these disruptions, or "clogs," in the system normally become the inspection objectives); determine the root causes of**

those disruptions; and recommend solutions that, when implemented, will resolve the disruptions and allow the system to flow smoothly once more.

Tier III

Contractor maintenance support

Triangle of confidentiality

The complainant, IG, and the IG's commander form the triangle of confidentiality. The triangle signifies the IG's responsibility to protect the identity of the complainant to the greatest extent possible while serving as the extension of the commander. The triangle does not imply that the IG will make total disclosure of all sources of information or that the IG can make total disclosure to all parties involved in the triangle. The intent behind the triangle is three-fold: to protect privacy, maintain confidence in the IG System, and minimize the risk of reprisal action.

Unfavorable information

Any credible, derogatory information that may reflect on an individual's character, integrity, trustworthiness, or reliability.

Unfounded

Refers to a problem or complaint that lacks validity and is therefore not appropriate for IG action. The IG's inquiry into the issue failed to yield enough evidence to verify the nature of the complaint or problem and deem it appropriate for IG action. [ATIG Decision] [Source: TIGS] [ATIG Decision: Approved]

V-LAN (Virtual LAN)

A switched network that is logically segmented by functions, project teams, or applications without regard to the physical location of the users. Each switch port can be assigned to a V-LAN. Ports assigned to a given V-LAN share broadcasts. Ports not assigned to the V-LAN cannot share those broadcasts.

Warrant officer

Commissioned warrant officers and warrant officers without commissions.

Waste

The extravagant, careless, or needless expenditure of Government funds, or the consumption of Government property that results from deficient practices, systems, controls, or decisions. The term also includes improper practices not involving prosecutable fraud.

World Wide Web

A **computer** network of interlinked stations, services, communications, and so forth.

World Wide Web-based

An application or implementation of hardware or software that is compatible with the defined communications protocols and data transmission formats required to transmit data across the Web.

Section III

Special Abbreviations and Terms

This publication uses the following abbreviations, brevity codes, and acronyms not contained in AR 310-50.

APFT

Army physical fitness test

BPRP

Biological Personnel Reliability Program

BSAT

Biological sect agents and toxins

BSI

Biological surety inspection

CAIRA

Chemical accident or incident response and assistance

CDO

component-designated official

CD-ROM

compact disc-read-only memory

CJTF

combined joint task force

COTS

commercial off-the-shelf

CPRP

Chemical Personnel Reliability Program

CSEPP

Chemical Stockpile Emergency Preparedness Program

DAEO

Department of the Army Ethics Office

DNSI

Defense Nuclear Surety Inspections

DSS

Defense Security Service

GOMO

General Officer Management Office

GWOT

Global War on Terror

IA

information assurance

IAM

information assurance manager

IAPM

information assurance program manager

IASO

information assurance security officer

IAVM

information assurance vulnerability management

IMA
Installation Management Agency

IO
Intelligence Oversight

IOD
Intelligence Oversight Division

IRMD
Information Resource and Management Division

IT
information technology

JMD
Joint Manning Document

JNSI
Joint Nuclear Surety Inspection

LAA
legal assistance attorney

MDMP
military decision-making process

ME
management evaluation

MEL
military education level

MRE
military rules of evidence

OAP
Organizational Assessment Program

OCI
Office of Complaints Investigations

OIP
Organizational Inspection Program

OSJA
Office of the Staff Judge Advocate

RBE
Reply by Endorsement

R-fiche
Restricted fiche

RSOI
reception, staging, and onward integration

SAV
staff assistance visit

SI
Surveillance Inspection

SME

subject-matter expert

SNM

special nuclear materials

TDS

trial defense service

TIGS

The Inspector General School

TMO

Technology Management Office

USACAPOC

U.S. Army Civil Affairs and Psychological Operations Command

USAHRC

U. S. Army Human Resources Command

USAHRC-St. Louis

U. S. Army Human Resources Command-St. Louis

USANCA

U.S. Army Nuclear and Chemical Agency

V-LAN

virtual local area network

WAN

wide area network